

Public Safety and Protection Committee



Agenda

Date: Tuesday, 19 December 2017

Time: 10.00 am

Venue: Committee Room 9, First Floor - City Hall,
College Green, Bristol, BS1 5TR

Distribution:

Councillors: Donald Alexander, Nicola Bowden-Jones, Chris Davies, Richard Eddy (Vice-Chair), Carole Johnson, Mike Langley, Paula O'Rourke, Ruth Pickersgill (Chair), Lucy Whittle and Chris Windows

Copies to: Nick Carter, Ashley Clark, Lynne Harvey, Michael Bonnick, Emma Lake, Sarah Flower, Abigail Holman, Carl Knights, Wayne Jones, Andrew Lyle (Licensing Enforcement Officer) and Norman Cornthwaite

Issued by: Norman Cornthwaite, Democratic Services

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Date: Monday, 11 December 2017



Agenda

1. Apologies

(Pages 4 - 5)

2. Declaration of Interest

3. Public Forum

Up to 30 minutes is allowed for this item

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the **Public Information Sheet** at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on 13th December 2017.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on 18th December 2017.

4. Response to Petition Submitted by Taxi Trade

The Committee is requested to discuss the response.

(Pages 6 - 11)



5. Amendment to Hackney Carriage Vehicle Standards Policy

The Committee is requested to agree to increase the maximum age limit from 12 to 15 years in relation to electric LEVC produced purpose built Hackney Carriages. **(Pages 12 - 27)**

6. Minutes of Previous Meetings

To agree the following Minutes of previous Meetings as a correct record of each Meeting for signature by the Chair: **(Pages 28 - 92)**

1. Full Committee 13th June 2017
2. Sub Committee A 13th June 2017
3. Sub Committee B 11th July 2017
4. Full Committee 15th August 2017
5. Sub Committee A 15th August 2017
6. Sub Committee B 22nd August 2017
7. Sub Committee B 19th September 2017
8. Full Committee 10th October 2017
9. Sub Committee A 10th October 2017
10. Sub Committee A 17th October 2017
11. Sub Committee B 14th November 2017



Public Information Sheet

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(Access to Information) Act 1985

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Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee and be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement

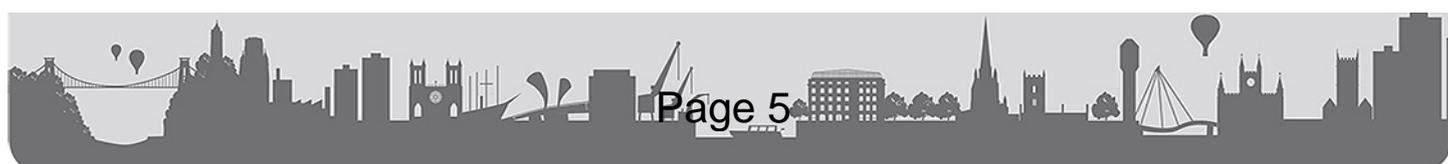
contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

Process during the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

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Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.





Mr. A Djahlat,
12 Belton Road,
Bristol,
BS5 0JS

Labour Councillors' Office
Bristol City Council
PO Box 3176
Bristol BS3 9FS
Tel: 07584480583
cllr.ruth.pickersgill@bristol.gov.uk

8th November 2017

Dear Mr Djahlat

As promised, further to your petition that was presented to the last Public Safety Committee, all of the relevant officers have been consulted, and enclosed is the official Council reply to the issues raised. I am sure that there are some areas that we can move forward, or that are already being considered, but others are beyond the remit of the City Council, so we need to be raising them with MPs etc. so they can influence Government (e.g. about needing standardised minimum licensing standards so that drivers do not get licensed in other areas and work in Bristol).

As we said yesterday, the City Council is very willing to work with Trade Representatives and to involve them in policy discussions, but this has to be done in a democratic way through the Taxi Forum. As you saw yesterday, trying to communicate with so many individuals through a protest is not really a very satisfactory way to get things done for anyone. The Forum will be agreeing their new Terms of Reference and the HC trade need to agree who their reps will be and those people need to make sure they bring concerns to the table and then relay back the correct information to the drivers. I heard what you said about wanting separate discussions without private hire operators, and we have altered the draft so that this can happen when there are issues that just impact on HC like the fare review.

As I said, we are all really happy to do what we can to support the Hackney Carriage trade, and I do believe they are a crucial part of our public transport system going forward, but the best way to do this is through constructive discussion around the table which looks at what we can do positively in the future, rather than revisiting issues from the past.

As I said, this is not the end of the democratic process as the issues you raise will be part of the discussion among councillors at the next Public Safety Committee.

Best wishes

Cllr. Ruth Pickersgill (Chair of Public Safety)

Cc Marvin Rees, Mayor of Bristol

Response to submission made at the end of Taxi Forum 20th July 2017- dated 01/07/17.

MOT stations.

*We, the drivers feel that we have been regularly mistreated by the staff at the testing station on Sandy Park Road, often asking us to carry out unnecessary work on the vehicles when the council requirements have already been met. We request that we be allowed to use **independent** MOT testing stations so that the staff do not take advantage of drivers whilst knowing the drivers have no other option.*

1. MOT Stations

The allegations made are serious ones, and similar in nature to those made in previous forum meetings. Every time these concerns have been raised, we have consistently asked for specific details of the driver and vehicle and actual complaint to be passed on, so they can be effectively investigated- to date nothing has been passed to the Council. If a complaint is received, we can assure you it will be thoroughly investigated.

It is important that drivers are made aware that the manager on the site is always available to talk to drivers who feel that they have been treated unfairly and to try and resolve the situation immediately.

One of the advantages of Fleet Services conducting the Certificate of Conformity on behalf of the Licensing Services (as you know, an MOT is also provided free as part of that service) is that there is absolutely no incentive for the inspectors to find unnecessary fault with vehicles.

There have actually been no complaints regarding the service provided by Fleet Services since April 2016 *which was not upheld*. If any driver does want to complain they can either:

- Use the internal complaints procedure, which is publicised within Fleet Services and which can also be found on the council website.

https://www.bristol.gov.uk/en_US/complaints-and-feedback/complaints-procedures

- If the complaint is about an MOT failure, as this is a VOSA MOT testing station, you have a statutory right of appeal via VOSA. This has been no appeal since December 2014.

I would also highlight Fleet Services MOT test station is independently audited annually by the RMI (Retail Motor Industry). We would expect them to find any irregularities. All MOT testers undergo externally provided annual training with an on-line assessment.

The request to use external garages has also been made previously, and has been looked in to. The main reason why we are not considering this at the moment is that we believe the current station allows us to be consistent across all taxis, to make sure we provide a high quality service, and it is easier for us to watch out for any complaints and make sure people are treated fairly. I am sure you will also appreciate the financial difficulties the authority finds itself in and any move away from using Fleet Services will cost the Council a lot of money which would not be helpful in a time of budget cuts.

The authority also conducted a survey amongst private hire and hackney carriage proprietor users of Fleet Services, the results of which were inconclusive as we had a mix of responses.

2. Taxi Ranks

The Council have been rapidly decreasing the number of taxi rank spaces from key locations around the city centre whilst increasing the number of taxis. We request to have ranks at the BRI, outside the full moon on Stokes Croft, Southmead Hospital, Bristol Hippodrome (which has been removed from the Council's plans) and other such locations in consultation with trade representatives.

Works have been ongoing to remodel Bristol City Centre and during this time unfortunately it was necessary for some central taxi ranks locations to be suspended, removed or relocated. Whilst the central rank outside the Hippodrome has been removed, 2 new ranks on College Green have been introduced with a net gain of 8 taxi spaces and further to this, a 5 bay evening rank will soon be available outside Boots on St Augustine's Parade.

The main city centre rank has been relocated some 30 metres away from the previous location and once fully complete and visible will provide an increased provision for taxis. This is a net gain of an additional 15 spaces and on Friday and Saturday evenings, this rank extends beyond St Stephens Street allowing up to 24 taxis.

There will also be alternative ranks at Quay Street, Baldwin Street and Victoria Street, these are currently going through the statutory process and will soon be available. However it must always be recognised kerbside space is at a premium within the City Centre and Bristol City Council has to balance the needs of taxis, coaches, loading, parking, disabled bays etc.

All of these changes, which are still ongoing means that there is a net increase in rank space of 27 spaces so far.

Turning to the specific request for taxi ranks, the evening rank outside Boots close to the Hippodrome will be available soon as mentioned previously. The Full Moon and the BRI locations will be investigated, however Southmead Hospital is situated on a private estate. We will approach the hospital trust to see what might be possible, but the roads are not public highway and the local authority does not have jurisdiction over what is located there.

3. Uber

We request that you revoke the operator's license given to Uber on grounds of Uber employing hundreds of TfL licensed vehicles to work full-time in Bristol and also other out of district Ubers who are working in Bristol full-time with the council powerless to stop them .Uber.

We are very aware of the TfL /Uber situation and are watching closely the outcome of the appeal to see what the legal decision is. At the moment, there is no legal basis that we could use to consider revoking Uber's operator's licence in Bristol. Our fit and proper standards apply equally to all Operators and no-one operator can be treated differently than others.

It is also worth highlighting, as we have explained in forum meetings, that even if Uber did not have an operator's licence issued by Bristol City Council, Uber could still perfectly legally dispatch vehicles into the Bristol area. What is needed is a review of the national taxi licensing legislation which is badly needed following changes in the market place. All taxi drivers can approach their MPs to ask them to raise this with the Government. The Chair of Public Safety has already asked one of the MPs to ask questions in Parliament and the Mayor has agreed to raise this with other Core Cities.

4. Low Emission Zone.

We request that you remove the proposal of charging any non-euro 6 diesel or post euro 4 petrol public hire taxi a city centre emissions charge, on the grounds that this is a public transport licensed by yourselves, and we have to go where the customers want us to including the city centre, hence it's unfair to charge us for what we have no choice. We also request that you change the rules on replacement vehicles and not insist that they must be euro 6 as it defeats the object of buying a three and half year old car as they do not exist in Euro 6, and by the time Euro 6 cars are three and a half years old you may well bring out a rule for Euro 7 and so on. Please do not make up rules on a daily basis without any thought or consideration for the impact of cost on the drivers.

Bristol suffers from very poor air quality and this leads to around 300 deaths a year. The Government has said that our air quality is illegal in many areas, and they have a UK Air Quality Action Plan in which they have named Bristol as one of the areas that need to take action. As part of that, councillors voted in Full Council last November for us to look at bringing in a Clean Air Zone. Air pollution particularly affects residents of central areas of the city and those who spend a lot of time on driving on the main roads are suffering even more than those walking on the pavements.

The improvement of air quality is a priority for the Mayor, and it is in his manifesto and in the Council's Corporate Plan. Reducing emissions from taxis and other forms of public transport is a key component to achieve this aim.

The Government has specified that Taxis and Private Hire Vehicles are a priority for Clean Air Zone action and along with buses are the first group of vehicles to which charges are likely apply, followed by HGVs, LGVs and cars in that order. The City Council must operate within what the Government lays down, **but no decisions on actual charges have yet or where the zone will cover have been made.** As soon as further information is available there will be consultation with the Taxi Forum.

Set against this background, the taxi policy changes made in February 2017, following consultation with the council's air quality experts, required diesel vehicles to be Euro 6. This was necessary to improve air quality, and ensures that licensing policy is supporting the national Clean Air Zone requirements.

5. Saloon Cars.

Since the number of wheelchair accessible taxis heavily outweighs the number of registered wheelchair users we request that the condition of all taxis being wheelchair accessible be removed. This will also help elderly people who find it extremely difficult getting into wheelchair accessible vehicles because of their height from the ground. (elderly passengers considerably outweigh wheelchair users and drivers experience such issues with elderly

people on a weekly basis, whereas a wheelchair passenger may come along on average once every year) .If you are not convinced by this please carry out a survey.

There is no such thing as 'registered wheelchair users'. The Council brought in the accessibility policy over a decade ago as part of our commitment to equality of access.

A meeting was held recently concerning saloon vehicles, attended by trade representatives and users and useful points were raised. Disabled and older people, who are not wheelchair users, have also raised a number of wider concerns about their access to taxis, which need to be resolved. These discussions are still ongoing, and we need to listen to all parties and consider the Government's current consultation on access before any further review of the policy is considered.

6. Meter Rate

We request that the evening meter rate should begin at 6pm as the current rate is actually lower than the previous rate 2 of a few years ago. Also rate 4 which is currently Saturday and Sunday nights should be Friday and Saturday nights. We also request a fare review as the last review was approximately four years ago.

On 24th May 2017 a meeting was held between trade representatives and officers of the council. The reps present agreed to consult with the trade and submit their formal proposals for fare changes. We haven't seen them yet, and so as soon as we get them we can consider a way forward, and write a paper for the Cabinet who need to make the final decision.

Officers are keen to ensure to work with trade representatives to agree a formula to review fares on an annual basis and drafts of that calculator have been shared with representatives.

7. Bristol Blue

Manufacturers of vehicles change their shades of blue on a regular basis, to buy a new car in the shade of blue that meets your requirements is almost impossible. So drivers are having to pay for respray of new vehicles on top of the cost of purchasing them. We request a review on the colour, as we feel not enough thought has been given to the financial impact on drivers.

Standard colours produced by manufacturers do of course change over time. Some are sufficiently close enough to the Bristol Blue standard that they do not require a subsequent repaint or wrap. Others will do, and of course with the ability to buy second hand vehicles, many will require a colour change to be accepted on to the fleet. There are currently 9 colours which we know are acceptable. All the major vehicle converters know Bristol's requirements well, and of course if a new colour becomes available then this will be considered. For example, the authority received a request from Cabs Direct to consider a new colour from Ford which was considered by Committee in February 2016 and approved.

Like many towns and cities, hackney carriages need to stand out from private hire vehicles. This is also important for your business, as customers then recognise them as a key part of the City's public transport. Bristol Blue is now easily recognised as the colour of Hackney Carriages, and we will work with Destination Bristol to further promote them as an important part of the transport system for tourists. A move away from Bristol Blue would be backward

step, and would be likely to impact on the number of customers, and so is not being considered.

We also note the Bristol hackney carriages own 'App' based booking system references Bristol Blue in its name.

8. Licensing Office

Many drivers are complaining about late arrivals of driver and vehicle licenses. We request a more efficient method of dealing with applications so that drivers are not being forced not to work for considerable periods of time through no fault of their own.

The Service has made significant investments in more staff and improved systems, which have been well received in some parts of the trade. We always welcome constructive comments as to specific improvements we could make.

As demand across the service sometimes peaks, this has, on rare occasions, led to delays over the published service standards. Again, if you can give us examples we can look into them. It would also be really helpful if messages got out to all drivers about the importance of meeting deadlines, particularly for their DBS and Right to Licence checks, as when some documents are received late, we cannot turn them around in time which will impact on applicants.

BRISTOL CITY COUNCIL

PUBLIC SAFETY AND PROTECTION COMMITTEE

19 December 2017

Report of: Strategic Director, Neighbourhoods
Title: Amendment to Hackney Carriage Vehicle Standards Policy.
Ward: Citywide
Officer Presenting Report: Nick Carter, Regulatory Services Manager
Contact Telephone Number: 0117 357 4900

RECOMMENDATION

That the Public Safety and Protection Committee:

- a) **Agree to increase the maximum age limit from 12 to 15 years in relation to electric LEVC produced purpose built Hackney Carriages.**

Summary

1. The London Electric Vehicle Company (LEVC) have written to the authority requesting to increase the maximum age limit for the electric TX model from 12 years to 15 years. See Appendix A.
2. This is in recognition that it is a purpose built electric hackney carriage with enhanced quality, & durability and the increase will help incentivise the proprietors to switch to electric vehicles.
3. To help members make an informed decision, LEVC have provided a vehicle for inspection.

The significant issues in the report are:

1. The cost of the new LEVC is undoubtedly expensive (approx. £55K), however that is mitigated by the fuel savings that will be made by switching to electric. Whilst this is clearly a business decision further incentivisation can be

provided via a policy change to extend the maximum age limit from 12 to 15 years. This will enable prospective proprietors to maximise the return on investment.

2. Recognising the quality and durability of the LEVC vehicle, this increase in age limit will help incentivise that change.
3. Other manufacturers of electric hackney carriages will be treated in the same way if such a request was forthcoming and vehicle produced is of a sufficiently high standard and durability.

Policy

4. The Public Safety & Protection Committee implemented significant changes to the Hackney Carriage & Private Hire Vehicle Standards policy on 28th February 2017
5. This specified that the maximum age limit of a hackney carriage is 12 years regardless of fuel type.

Consultation

6. Internal:

- a. Legal Services
- b. Finance Business Support
- c. Strategic City Transport
- d. Air Quality- Sustainable City

7. External:

The Council has consulted with representatives of the taxi trade via newsletter and the taxi forum. Appendix B details the responses received to the consultation and appendix C provides a summary of the responses.

Context

8. On 28th February 2017, the Public Safety & Protection Committee implemented significant changes to the Hackney Carriage & Private Hire Vehicle Standards policy.
9. A number of these policy changes were geared towards reducing emissions from vehicles the council directly regulates. This is set against a background of an ageing fleet of hackney carriages.
10. The policy changes were far reaching, and specifically encouraging a switch towards electric powered vehicles. Indeed all 'new to fleet' vehicles i.e. other than replacement vehicles must be Ultra Low Emission.

11. Bristol now has one of the most advanced vehicle licensing policy's which paves the way Ultra Low Emission Vehicles.
12. At the point in time when the report was presented to committee there were no wheelchair accessible electric hackney carriages available in the market place.
13. As such, the policy was passed setting a maximum age limit for all hackney carriages of 12 years.
14. The market place is changing rapidly and the situation is now different following the launch of the new London Electric Taxi, manufactured by London Electric Vehicle Company (LEVC). This is a purpose built electric hackney carriage and not a conversion like the majority of hackney carriages on the Bristol fleet.
15. Other major motor manufacturers are developing their own models as they look towards the global taxi market.
16. To help incentivise change towards electric there are a number of grants available to prospective proprietors. Information has been distributed via taxi newsletters and through the Hackney Carriage and Private Hire forum.

Proposal

17. To increase the maximum age limit for electric LEVC hackney carriages from 12 to 15 years.

Other Options Considered

18. Do nothing: This would inhibit the switch from traditional fossil fuelled vehicles towards viable electric alternatives.

Risk Assessment

19. As set out in the table below:

The risks associated with the implementation of the recommendations of the report

No.	RISK Threat to achievement of the key objectives of the report	INHERENT RISK		RISK CONTROL MEASURES Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK		RISK OWNER
		(Before controls)			(After controls)		
		Impact	Probability		Impact	Probability	
1	Any policy decision is open to challenge	Low	Low	Officers have consulted with key representatives of the taxi trade.	Low	Low	

The risks associated with <u>not</u> implementing the recommendations of the report							
No.	RISK Threat to achievement of the key objectives of the report	INHERENT RISK		RISK CONTROL MEASURES Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation)	CURRENT RISK		RISK OWNER
		(Before controls)			(After controls)		
		Impact	Probability		Impact	Probability	
1	Failure to amend the policy as recommended could stifle switch to electric with traditional fossil fuelled vehicles maintaining an advantage	Medium	Medium	Awareness of incentivisation grants and change to vehicle licensing policy.	Low	Low	

Equalities Impact Assessment

20. An Equality Impact Assessment has been produced and is attached as Appendix D.

Legal and Resource Implications

Legal:

The Council has a discretion under the relevant legislation to decide which hackney carriage vehicles it will licence as far as age, size, type and colour are concerned.

There is no statutory duty to consult upon the proposed policy changes and nor is there a general common law duty to do so. A duty of consultation will however exist in circumstances where there is a legitimate expectation of such consultation, usually arising from an interest which is held to be sufficient to found such an expectation, or from some promise or practice of consultation. In this case the Council has consulted with representatives from the taxi trade in line with previous practice.

Where a consultation process is undertaken, case law guides on what constitutes lawful consultation and from this some key guiding principles have been established, in summary that those being consulted must:

- (i) be provided with material upon which a decision is likely to be made;
- (ii) be given enough time for intelligent consideration of that material and to respond to it;

- (iii) be given the opportunity to make considered representations;
- (iv) have their representations conscientiously considered.

It is therefore important that members are satisfied that that any consultation process allows sufficient time to enable any person or body wishing to make representations to obtain relevant material, to consider it and to put their representations to the Council.

Legal advice given by: Lynne Harvey, Solicitor, Legal Services

Financial:

This paper requests agreement that the maximum age limit for LEVC hackney carriages be increased from 12 years to 15 years.

No financial impact is planned.

Jemma Prince (Finance Business Partner) 13/11/17

Financial advice given by: Jemma Prince (Finance Business Partner)

Strategic City Transport:

Bristol City Council is developing an electric vehicle strategy that will form part of the West of England's Joint Local Transport Plan, in which we will set out measures to support the uptake of electric vehicles across the sub-region. As such, the proposed policy changes that are likely to incentivise electric vehicle uptake for electric taxis are supported from a strategic transport perspective.

Transport advice given by: Jodi Savickas, Strategic City Transport Manager.

Sustainability- Air Quality:

The proposals are consistent with the feasibility study for a Clean Air Action Plan to reduce pollution from traffic emissions. The transition to a clean electric taxi fleet is welcomed and is especially important for journeys within the central areas of the city which breach UK and EU limit values for air pollutants.

Air Quality advice given by: Kathy Derrick, Sustainability Team Manager.

Land

Not applicable

Personnel:

Personnel advice given by:

Appendices:

Appendix A	Letter of request from LEVC
Appendix B	Consultation responses
Appendix C	Summary of consultation responses
Appendix D	Equality Impact Assessment

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None



Li Close,
Ansty Park Business Park,
Coventry
CV7 9RF

Mr. Jonathan Martin
Licensing and Trading Standards Manager
Licensing Team (Temple Street)
Bristol City Council
PO Box 3176
Bristol
BS3 9FS

24 October 2017

Dear Jonathan,

Request for electric taxi age limit extension

I am writing to you following your meeting with my team in which you discussed Bristol's air quality challenges and how LEVC's new zero emissions capable (ZEC) taxi will contribute to a greener, smarter taxi fleet and improved air quality across the city.

We are delighted that Bristol will be the first UK city outside of London to mandate ZEC taxis and are pleased that the move to ZEC taxis has support from across the council and regional bodies, including Go Ultra Low West.

As you know, we have created a competitive package for drivers which means they will make considerable savings by going ZEC, while at the same time contributing to better air quality.

The TX is the most advanced taxi we have ever built and will operate in London for 15 years with zero emissions capability. Given it outperforms its predecessor in both quality and durability, we would request that the council consider amending its Vehicle Licensing Policy to extend the age limit for the TX from 12 years to 15 years. We believe this will incentivize drivers to invest in the new vehicle and help to get the oldest diesel taxis off the roads as soon as possible.

Please do get in touch if we can provide any further information.

Yours sincerely,

Richard Gordon
Commercial Director, LEVC

Appendix B

Consultation responses

Respondent 1

I believe that all hackney cars should be use at least 15 years Anything less then 15 years is west of money Electric vehicles is to expensive No driver will buy 60.000 vehicle For this job.

I rather spend 3000 vehicle from south Gloucester and work bristol This trade is finished,

Respondent 2

I think the age limit should be raised to 20 years to make the purchase of the vehicle viable in the current climate of Uber taking most of the taxi trade

Respondent 3

Too whom

It seems that bcc is now pursuing electric taxis for a cleaner Bristol , this seems-a great ideal on the face of it but can you inform me and the trade how the charging network is being implemented around the city .

Some time ago there was trade discussions about electric cars and following consultations with the national grid about rapid chargers or the lack of them. their response was that the grid was at maximum capacity and could not supply any more chargers ,extra capacity will not come on line until Hinckley point nuclear power station comes on line in ten years plus .

So my question to you is why put a policy in place when the infrastructure is not in place to service the taxis and the investment you expect this trade too make

Respondent 4

Many thanks for so many changes, electric vehicle, removing taxi ranks & Shifting taxi ranks from Baldwin street to Victoria st (Well Done), Leniency towards Uber & other private hire companies, imposing tarrif 1 until 10pm thus reducing hackney drivers income, slicing my income to make Mr Megan happy so that he doesn't loose his school run contracts as due to increase in fare he will loose school runs, allowing out of town cars to work in Bristol and kicking out Bristol Drivers from work.

Please tell us how do we pay the finance for the cars you have required. I used to work 35-40 a week, now I will have to work 70-80 hours to make the same money. I am father of two kids please tell me when do I see them if I have to be on work all the time or else how do I fund this type of car, pay the finance for such a car or even Euro6 that you are requiring whereas my income is sliced to half due to your policies, please don't blame the government for everything.

Please stop giving us lollipops that's it's not in your hands, or you are working on it with trade reps, as everyone else before you have said the same thing for the last 15 years, so please don't beat behind the bush and be blunt and say it to our face " find yourself another job" as we are giving away your work to an international

organization who is not paying tax, not complying with rules and regulations, whose 95% drivers are from other councils where knowledge and driving tests are exempted to bring them into this business. They operate right under your nose but you can't take action like Reading Council or you don't want to take action as all the taxi drivers believe Bristol Council is complicit not innocent.

If you are asked, Will you do the same job or quit if you are told to do the same job for half price e.g from £30k per year down to £15k per year working 40 hours a week.

How can you ask us to invest that much money to buy such an expensive car or even Euro 6, not even London has imposed this kind of restrictions, whereas the income in Bristol may not be even 1/6 of London hackney drivers income, especially in the current circumstances, whereas we are worried how to feed our kids.

Please remember we are only left with the option to be on the roads protesting, keeping the roads blocked until the world realize the problem, as you will see it very soon in the coming weeks, as we believe our government and council especially is either incompetent or complicit,

Respondent 5

There is no need to consult re the above as you have already made your mind up on killing the Taxi trade with all your policies. Your approach and dealings with the H/C trade nothing but dictatorial and very detrimental to the livelihood of the genuine taxi drivers, their families, approx. 5000 people, the city of Bristol and its residents. How do you expect drivers to spend great deal of money when you and the government are giving our work to others. you are actually taking the Micky.

You care nothing about the clean air its an excuse to have a good Go at these taxi drivers, make them out of a job or even bankrupt.

You have to wake up to reality and start treating us reasonably and with respect. And remember that those Hackney Carriage Taxi Drivers will not give up and will fight your dictatorial attitude until you start listening.

I DO NOT agree with your policy and you should change it to suite BRISTOL HACKNEY TAXI DRIVERS which in turns benefit the people of Bristol.

HCV LEVC policy consultation responses

The consultation ran from Friday 15th November 2017 to Wednesday 3rd December 2017. The proposed changes were communicated to the trade via the Taxi Newsletter on Friday 15th November 2017.

In total 5 responses were received, all of which received by email.

Of the one positive comment that was received:

1. Pursuing electric taxis for a cleaner Bristol seems a great idea.

Of the negative comments that were received:

1. The age limit should be increased to 20 years to make the cost of the vehicle more viable.
2. The infrastructure to support rapid chargers is not in place to service the taxis, or the investment a driver is expected to make.
3. Anything less than 15 years is a waste of money, electric vehicles are too expensive.
4. Drivers will need to work more hours to pay for this vehicle, or even Euro 6.
5. Overall Council standards (policies) should be reduced.
6. Drivers can't pay for this vehicle when work is 'given to others' (reference to made to an International Organisation).
7. That the policies do not benefit the people of Bristol.

The proposed change

To increase age limit from 12 years to 15 years in respect of the electric TX model only- applicable to replacement and new to fleet vehicles.

Respondents

Responses were received from 5 members of the public across the city and outside the Local Authority boundary (BS2, BS5, BS16, BS21, BS31). All responses were made by Licensed Drivers.

Of the 5 responses received, 1 response appeared neutral to the idea of this change. The response seemed more focussed on future-proofing the policies by having the infrastructure in place to support electric vehicles. It was suggested that pursuing electric vehicles for a cleaner Bristol would be a great idea.

The remaining 4 responses were heavily critical of the Council's current policies. The focus of these responses was mainly based on issues surrounding out of town drivers, Uber, and the cost of purchasing a Euro 6 or electric vehicle.

1 response appeared to suggest a move to South Gloucestershire to buy a cheaper vehicle. 1 response appeared to suggest further demonstrations by members of the trade in relation to Council policies.

Equalities Monitoring

Equalities Monitoring was not captured during this consultation.

Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



Name of proposal	Hackney carriage and private hire vehicle policies
Directorate and Service Area	Neighbourhoods and Communities, Regulatory Services
Name of Lead Officer	Nick Carter, Regulatory Services Manager

Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?

To amend the current Hackney Carriage Vehicle Policy to:

- a) Increase the maximum age limit from 12 to 15 years in relation to electric LEVC produced purpose built Hackney Carriages

The above proposals follow on from reviews of the Hackney Carriage Vehicle policy completed in February 2017 and August 2017 which includes changes to a number of areas of the policy. A number of the changes were geared towards reducing emissions from vehicles the council directly regulates.

The recent policy changes included that additional hackney carriage licences to only be issued in respect of Ultra Low Emission Vehicles. The Department for Transport Best Practice Guidance acknowledges that vehicle licensing policies should support local environmental policies and acknowledges that this is significant in designated Air Quality Management Areas. Hackney carriages are a significant source of air pollution and carbon emissions in the city, particularly the city centre (an Air Quality Management Area). Many of the hackney carriages in Bristol's fleet are older diesel-based vehicles compared to the average age of private hire vehicles in the city. In many cases a single diesel car can produce more Nitrogen Oxides (NOx) and Particulate Matter (PM) than a modern lorry or bus as modern larger vehicles are fitted with a wide range of

equipment such as filters, and use fuel additives such as Ad-Blue. The annual objective for nitrogen dioxide is exceeded throughout wide areas of Bristol close to the busiest roads in the centre and along the main arterial routes. There are also a number of locations where the short term objective for nitrogen dioxide is exceeded.

The benefits of requiring any additional hackney carriages to be ULEVs include:

- a) Reducing carbon emissions
- b) Improving air quality and public health
- c) Making the city more attractive
- d) Supporting the economy of the region
- e) Supporting innovation and transformation

Following this policy change the London Electric Vehicle Company (LEVC) have written to the authority requesting to increase the maximum age limit for the electric TX model from 12 years to 15 years. Therefore a report has been produced recommending this policy change and a consultation has been carried out with the taxi trade. A small number of responses some of which are requesting a longer life span of vehicles than the 15 years proposed.

Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?

Based on the demographics of the City of Bristol the majority of citizens which are potential taxi customers:

- 77.9% are White British compared to 80.5% the national average
- 16.7% have a Limiting Long-term Illness or Disability which is lower than the national average of 17.9%
- 50% are women which is in line with the national average,
- 15.7% are aged between 16-24, 38% aged between 25-49, 14.5% aged between 50-64, 13.2% aged over 65.

Disability

The Office for Disability Issues has updated Department for Work and Pensions estimates which show there are 11.2 million disabled people in Great Britain, of whom 5.2 million are adults of working age, 5.2 million are over state pension age and 0.8 million are children (Disability prevalence estimates 2010/11) .

DPTAC research in 2002 found that disabled people were more satisfied with taxis and minicabs services compared to other forms of transport which was partly attributed to the level of personal service provided by drivers of these vehicles (Attitudes of Disabled People to Public Transport; research study conducted for Disabled Persons Transport Advisory Committee). Taxis and minicabs are vital for many disabled and older people and for some the only accessible transport mode (Beuret, 1995).

Disabled persons are reported to travel approximately a third less often than those who are not disabled, but disabled people use taxis and private hire vehicles approximately 67% more than people who are not disabled. (Disabled Persons Transport Advisory Committee, *Attitudes of Disabled People to Public Transport – a research study conducted for the Disabled Persons Transport Advisory Committee* (November 2001).)

Licence holders

In Bristol there are currently 1934 licensed hackney carriage drivers and private hire drivers in total. We currently have equalities information for nearly one third of hackney carriage drivers (29%) of which 19% are White British, 81% BME. In respect of age less than 1% of drivers are aged between 18-24, 51% drivers aged between 25 and 45 years old, 36% aged between 46-59 years and 12% are aged 60 or over.

2.2 Who is missing? Are there any gaps in the data?

We do not currently have the information from the majority of licensed taxi/private hire drivers in respect of equalities information. However measures have been implemented in order for equality information to be collected from licence holders.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

The Hackney carriage and private hire trade have been consulted via the taxi forum meetings and a newsletter via email.

A variety of other groups were also consulted with regard to the earlier policy reviews including Bristol Physical Access Chain (BPAC) – views were sought at a meeting on 8 November 2016 and RNIB - views sought via correspondence sent December 2016.

Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Age

We do know that 36% of taxi drivers are between 46-59 years old, therefore a change in policy will have an effect on over 55's.

Disability

No adverse impact. However failure to implement the proposed change may have a negative impact on the availability of vehicles which could have a detrimental effect on disabled people who rely on this form of public transport as they may not be able to access alternatives.

Ethnicity

A significant proportion of licensed drivers are members of the BME community. The effect of the proposed policy change will increase the number of years an electric LEVC produced purpose built Hackney Carriages will be licensed for. Therefore it is likely that a significant proportion of applicants purchasing these vehicles will be from the BME community.

Gender

Approximately 98% of licensed drivers are male. The proposed policy change is likely to have an impact on a significant proportion of licensed drivers who are male.

Pregnancy and Maternity

No negative impact anticipated.

Religion & belief

No negative impact anticipated.

Sexual orientation

No negative impact anticipated.

Transgender

No negative impact anticipated.

Any other relevant specific groups

No negative impact anticipated.

3.2 Can these impacts be mitigated or justified? If so, how?

This proposed policy change will allow proprietors to obtain a greater return on their investment in electric LEVC produced purpose built Hackney Carriages over a longer period. This can be mitigated through a loan which will enable to the proprietor to spread the cost over a 60 month period, for example, currently the LEVC website as of 06/12/17 the 'on the road' price for a is £55,599. Other incentives in respect of electric vehicles are available from the government in respect of Office of Low Emission Vehicles including the Electric Vehicle Homecharge Scheme which provides grant funding of up to 75% towards installing electric vehicle charge points in domestic properties.

3.3 Does the proposal create any benefits for people with protected characteristics?

Wheelchair users will be able to use all taxis as they are all required to be wheelchair accessible.

3.4 Can they be maximised? If so, how?

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Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?
The equality impact assessment has been developed throughout the policy review process.
4.2 What actions have been identified going forward?
A report will be drafted to be placed before the council's Public Safety and Protection Committee outlining the outcome of the consultation. We do know that we have had a low response from our consultation, and some additional work may need to be done to inform taxi drivers of this change in policy.
4.3 How will the impact of your proposal and actions be measured moving forward?
The next stage is for a report to be presented to committee recommending the policy changes. We will monitor the take-up of the new vehicle scheme, and collect more information on the protected characteristics of taxi drivers to see what impact the change has had. Collecting this data will also support our aim to have more knowledge about taxi drivers needs.

Service Director Sign-Off: 	Equalities Officer Sign Off: Cherene Whitfield
Date: 08/12/2017	Date: 08/12/2017

Bristol City Council
Minutes of the Public Safety and Protection
Committee



13 June 2017 at 10.00 am

Members Present:-

Councillors: Nicola Bowden-Jones, Richard Eddy, Carole Johnson, Mike Langley, Paula O'Rourke, Ruth Pickersgill, Lucy Whittle and Chris Windows

Officers in Attendance:-

1. Annual Business Report 2017/18

Membership of the Committee

Resolved – that the Membership of the Committee for 2017/18 be noted as follows

Councillor Bowden Jones – Labour

Councillor Johnson – Labour

Councillor Langley – Labour

Councillor Pickersgill – Labour

Councillor Whittle - Labour

Councillor Eddy – Conservative

Councillor Windows - Conservative

Councillor O'Rourke – Green

Councillor C Davies – Liberal Democrat

Election of Chair

Resolved – that Councillor Pickersgill be elected Chair of the Committee for 2017/18.

Election of Vice-Chair

Resolved - that Councillor Eddy be elected Vice-Chair for 2017/18.



Terms of Reference of the Committee

Resolved – that the Terms of Reference agreed by Council be noted.

Dates and Times of Meetings

Resolved – that the Committee Meetings be held on the following dates, all starting at 10.00 am

13th June 2017 Full Committee followed by Sub-Committee A

11th July 2017 Full Committee followed by Sub-Committee B

15th August 2017 Sub-Committee A

19th September 2017 Sub-Committee B

17th October 2017 Sub-Committee A

14th November 2017 Sub-Committee B

19th December 2017 Sub-Committee A

23rd January 2018 Sub-Committee B

27th February 2018 Sub-Committee A

27th March 2018 Sub-Committee B

24th April 2018 Sub-Committee A

Membership of the Sub Committees

Resolved - that the Membership of each Sub Committee be as follows

Sub A

Councillor Bowden-Jones

Councillor C Davies

Councillor Eddy

Councillor Johnson

Councillor Langley

Councillor O'Rourke

Sub B

Councillor O'Rourke

Councillor Pickersgill

Councillor Whittle

Councillor Windows

Sub Committees Terms of Reference

Resolved – that Sub Committees Terms of Reference be noted.

2. Declarations of Interest



There were none.

3. Public Forum

Nothing was received.

Meeting ended at 10.30 am.

CHAIR _____



Bristol City Council
Minutes of the Public Safety and Protection
Committee



13 June 2017 at 11.00 am

Members Present:-

Councillors: Chris Davies, Richard Eddy (Vice-Chair), Mike Langley, Paula O'Rourke and Ruth Pickersgill (Chair)

Officers in Attendance:-

1. Election of Chair

Resolved – that Councillor Eddy be elected Chair of the Sub Committee for 2017/18.

2. Election of Vice Chair

Resolved – that Councillor O'Rourke be elected Vice-Chair of the Sub Committee for 2017/18.

3. Apologies for absence and substitutions

Apologies were received from Councillor Nicola Bowden-Jones and Councillor Carole Johnson, substitute Councillor Ruth Pickersgill.

4. Declarations of Interest

None were received.

5. Public Forum

Nothing was received.



6. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate for the Duration of the Meeting

Resolved – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

7. Complaints relating to a Street Trading Consent at Corn Street - Market Kebabs KB and RA

KB and RA were in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She advised that the operators have held a Late Night Refreshment Licence since 2006. She also confirmed that the Licensing Section have no record of any other complaints against the operators.

KB and RA put their case and answered questions highlighting the following:

- They have operated at their current location for a long time
- They always clean up the area each morning after finishing trading
- There is a lot of noise generated in the area from adjacent pubs and restaurants
- They have never had any complaints from the Markets Team
- They have acquired a new unit
- They have spoken with the hotel manager
- Two people work in their unit; there are never any large queues; the busiest time is around 1.00 am; they have a lot of regular customers
- They summed up their case

The Licensing Officer confirmed that any change of location for the unit would necessitate a new application being submitted.

The Licensing Officer and the Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Legal Advisor reminded the Committee of their powers concerning Street Trading. These include the power to vary or revoke a Consent at any time. The Committee has to be satisfied that the complaint has been made out and that the problems in the area are directly attributable to the operators and their unit should they decide to uphold the complaint.

The Committee noted that there had been no complaints before the hotel opened. They also noted the



Police and Market Team had not submitted any evidence of problems caused by the operators.

The Committee decided that the complaint had not been substantiated with further documentary evidence from the hotel and could not be upheld. It would be a drastic step to take someone's livelihood away without being backed up with strong evidence.

Everyone returned to the room to hear the decision announced.

Resolved – that the complaint had not been substantiated and could not be upheld.

8. Exclusion of the Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1072, the public be excluded for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

9. Application for the Grant of a Private Hire Driver's Licence - AH

AH was in attendance.

The Licensing Officer introduced the report and summarised it for everyone.

AH put his case and answered questions highlighting the following:

- He has already been off the road for a number of weeks
- He had previously bought a car to use as a taxi
- He wants to look after his family
- He is not doing any other work and is living on benefits
- He has a good driving record
- The accident has cost him £10,000
- His son completed the application form on his behalf and had not ticked the appropriate box
- The court reduced his penalty to 3 points, which is the minimum
- He summed up his case

The Licensing Officer explained that the DSA Tests are not being conducted at present. The Knowledge Test is required and that the other requirements are checks.

The Licensing Officer and the Applicant left the room whilst the Committee made its decision.



Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Members noted their Policy.

Taking account of the circumstances of his case and his previous good record since 2004, the Committee decided that he should be granted a licence subject to him passing the other checks, except the Knowledge Test, from which he is exempted from being required to take.

Everyone returned to the room to hear the decision announced.

Resolved – that AH be granted a Private Hire Driver’s Licence subject to him passing the other checks, except the Knowledge Test, from which he is exempted from being required to take.

10 Application for the Grant of a Private Hire Driver's Licence - SA

SA was in attendance.

The Licensing Officer introduced the report and summarised it for everyone.

SA put his case and answered questions highlighting the following:

- He confirmed that he has a number of previous convictions
- He has appeared before the Committee previously and produced various character references
- Referring to the drink/drive conviction, his drink had been spiked by someone; he was advised to plead guilty by his solicitor to gain a lesser sentence
- Referring to offence of driving without insurance, he was driving a taxi for a company that was supposed to insure the vehicle, but had not
- Referring to the 2012 conviction, this related to him being accused of changing the price on an item in a shop; he was again advised to plead guilty by his solicitor
- He has been driving taxis since 1999 and has a good record
- He has made mistakes but wants a chance to rectify them
- These convictions have put a strain on his family and he is living on benefits. He had not worked for 2 years
- He thought that all the convictions had been dealt with by the Committee in 2015 and doesn't understand why they are in the report again
- He had been granted a licence with his criminal record previously. It was only since the more recent conviction that he lost his licence
- He can obtain references from people



- He wants an exemption from the Knowledge Test so that he can get back to work as soon as possible
- He summed up his case

The Licensing Officer and the Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Legal Advisor confirmed to the Members that this is a fresh application and that they are entitled to look at the history and pattern of the Applicant's previous offences. She also reminded the Members of their Policy and that the drink/driving conviction is a Major traffic Offence that requires a 5 year period free from conviction.

The Members decided that SA had not satisfied them that he is fit and proper person to hold a licence and that the application should therefore be refused. The most recent conviction of being in charge of a motor vehicle whilst under the influence of alcohol was on its own, very concerning, but having regard to the totality of SA's offending conduct over a period of time, SA had a very heavy burden to discharge in order to prove that he was a fit and proper person to hold a licence. He had failed to do so.

Everyone returned to the room to hear the decision.

Resolved - that the application for the Grant of a Private Hire Driver's Licence submitted by SA be refused on the ground contained in section 51 of the Local Government (Miscellaneous Provisions) Act 1976 in that he had not satisfied the Council that he is a fit and proper person to hold such a Licence.

11 Application for the Grant of a Hackney Carriage Licence Seeking Departure from Bristol City Council Policy - MJEB

PC was in attendance as the representative of MJEB. He is the supplier of the vehicle.

The Licensing Officer introduced the report and summarised it for everyone.

PC put the case for MJEB and answered questions highlighting the following:

- The new vehicle is a replacement for a TX1 for which spare parts are no longer available
- The vehicle was obtained from Scotland and repainted
- PC had wrongly put himself as the owner of the vehicle
- They had not been aware of the moratorium in relation to the change of Policy
- He felt that the advice received from BCC was not always clear
- The owner had paid £11,000 for the vehicle; it had been passed by BCC and repainted
- No reference was made to the change of Policy
- The vehicle was registered with BCC on 22nd or 23rd February



- Another vehicle had been accepted by BCC after the moratorium
- He summed up the case

Referring to the other vehicle accepted, the Licensing Officer explained that because the application was made within the 3 month grace period and was therefore a renewal not a grant.

The Licensing Officer and applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written evidence presented to them.

Members noted their Policy.

Members noted the particular circumstances concerning this case. They considered that they could depart from their Policy in this case without undermining it. They therefore decided to grant the application.

Everyone returned to the room to hear the decision announced.

Resolved - that the application for a Hackney Carriage Vehicle Licence submitted by MJEB be granted.

Meeting ended at 2.30 pm.

CHAIR _____



Bristol City Council
Minutes of the Public Safety and Protection
Committee



11 July 2017 at 10.00 am

Members Present:-

Councillors: Paula O'Rourke, Ruth Pickersgill (Chair), Lucy Whittle and Chris Windows

Officers in Attendance:-

1. Election of Chair

Resolved – that Councillor Pickersgill be elected Chair of the Sub Committee for 2017/18.

2. Election of Vice Chair

Resolved – that Councillor O'Rourke be elected Vice-Chair of the Sub Committee for 2017/18.

3. Apologies for absence and substitutions

There were none.

4. Declarations of Interest

None were received.

5. Public Forum

Agenda Item No. 11 Application for a Street Trading Consent at Knowle Cricket Club Car Park. A statement was submitted by Councillor Gary Hopkins which was noted by Members and taken into account when they made their decision.



6. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate for the Duration of the Meeting

Resolved – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

7. Exclusion of the Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1072, the public be excluded for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

8. Application for the Grant of a Private Hire Driver's Licence - AYH

AYH, his solicitor TM and a friend were in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. She advised that there was a small error in the report.

The Legal Advisor explained, referring to paragraph 5, that the offence relates to Section 4A of the Public Order Act 1986 (not Section 31 of the Crime and Disorder Act 1998) and the BCC Policy specifies a period of 8 years free from conviction in relation to these type of offences.

It was noted that AYH has already passed the Knowledge Test. Should he be granted a licence, he would still have to pass the other parts of the Fit and Proper Person Test.

TM put the case for AYH highlighting the following: (He also tabled a letter from Bristol Somali Forum supporting AYH.)

- He accepted that he has to persuade the Committee to make an exception to the Policy in the case of AYH
- AYH is determined to resume his job as a Private Hire Driver
- Prior to losing his licence he had worked as a Private hire Driver for 4 years
- He is married and has children
- It was a racially aggravated offence and he pleaded not guilty
- He now accepts that his behaviour was not acceptable and he accepts the conviction
- The incident did not involve a customer
- The other driver had confronted AYH
- AYH did not get out of his car, did not threaten the other driver and kept his distance



- It was a low order offence with only a fine imposed on AYH
- He has not committed any other offences and is not a risk to the public or customers
- The conviction is 3 years old and the offence will be 4 years old at the end of this year
- AYH has done everything he can to show he is a reformed character
- The offence was out of character
- AYH has completed the Knowledge Test and has also taken an NVQ Refresher on Customer Services
- TM asked that AYH be granted a licence

AYH then answered questions concerning the incident. He had stopped outside St Michael's Hospital to allow a passenger out of his car. Another driver had shouted at him about his parking. There had been a verbal exchange of abuse and the other driver 'phoned the Police to complain he had been racially abused. It was also noted that AYH had been accused of spitting. AYH stated that the incident happened at the time his mother was ill.

The Licensing Officer and the Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted their Policy and the offence committed by AYH.

Following a lengthy debate and on a vote of 3 to 1, the Committee agreed that in the individual circumstances of this case, an exception to the Policy could be made and that the conviction would not act as a bar to AYH being granted a licence subject to him passing the remaining parts of the Fit and Proper Test.

The Committee noted the work done by AYH in his community, that he has made every effort to reform since the offence, that it was considered a low level offence, that it was a one off incident and that his mother was terminally ill at the time of the offence.

Everyone returned to the room to hear the decision announced.

Resolved – that AYH's conviction would not be a bar to him being granted a Private Hire Driver's Licence subject to him passing the remaining parts of the Fit and Proper Person Test.

9. Application for the Renewal of a Private Hire Driver's Licence - MMD

MMD and SAM a Trades Union Representative were in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.



The Licensing Officer introduced the report and summarised it for everyone. It soon became apparent that MMD needed an interpreter to enable him to fully understand what was being said and to enable him to properly put his case to the Committee.

Following a request from SAM for an adjournment, it was

Resolved – that the case be adjourned until a future Meeting of the Committee to enable an interpreter to be provided for MMD.

10 Application for the Grant of a Hackney Carriage Driver's Licence - MN

The Licensing Officer stated that the applicant had put a late request in for an interpreter but that it had not possible to arrange one in time for this Meeting.

Resolved - that the case be adjourned until a future Meeting of the Committee to enable an interpreter to be provided for MN.

11 Application for a Street Trading Consent at Knowle Cricket Club Car Park - MAP

MAP and VG were in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone.

MAP put his case and answered questions highlighting the following:

- He has worked in meat sales since he was 14 years old
- He started his own business 9 months ago
- He buys and sells in bulk only
- He has 2 Consents in South Gloucestershire
- He only ever has 4 to 5 people queuing at any one time
- His business is on Facebook
- A number of people wanted him to start a business in Knowle
- He has never caused a problem on any site
- He will not be operating at Knowle Cricket Club when cricket is being paid
- He has bought a lorry and taken on staff
- Most sales are between £30 and £50, but some are over £100
- They have a super silent generator
- They will not cause parking problems

The Licensing Officer and the Applicant left the room whilst the Committee made its decision.



Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

Members did not consider that granting a Street Trading Consent at this location would cause any problems.

They were satisfied as to the suitability of the trading unit, the location and the applicant. There was evidence of need as the applicant would not be in competition with current operator(s) and would be offering a different type of service to customers in the locality. There were no concerns about safety, crime and disorder or public nuisance arising from the application.

Everyone returned to the room to hear the decision announced.

Resolved - that the application for a Street Trading Consent at Knowle Cricket Club Car Park made by MAP be granted subject to the General Conditions attached to the report.

12 Application for a Street Trading Consent at The Elm Tree Inn Car Park - MAP

MAP and VG were in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. She stated that the Licensing Section was not satisfied that the applicant had received the necessary consent from the landowner to operate on the site. She therefore asked a Condition requiring the applicant to provide documentary evidence from the landowner of permission to operate on the site prior to commencing trading, be attached to any Consent granted.

MAP put his case and answered questions highlighting the following:

- He has worked in meat sales since he was 14 years old
- He started his own business 9 months ago
- He buys and sells in bulk only
- He has 2 Consents in South Gloucestershire
- He only ever has 4 to 5 people queuing at any one time
- His business is on Facebook
- He has never caused a problem on any site
- He has bought a lorry and taken on staff
- Most sales are between £30 and £50, but some are over £100
- They have a super silent generator
- They will not cause parking problems



The Licensing Officer and the Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

Members did not consider that granting a Street Trading Consent at this location would cause any problems.

They were satisfied as to the suitability of the trading unit, the location and the applicant. There was evidence of need as the applicant would not be in competition with current operator(s) and would be offering a different type of service to customers in the locality. There were no concerns about safety, crime and disorder or public nuisance arising from the application.

Everyone returned to the room to hear the decision announced.

Resolved - that the application for a Street Trading Consent at The Elm Tree Inn Car Park made by MAP be granted subject to the General Conditions attached to the report, along with a Condition requiring the applicant to provide documentary evidence from the landowner of permission to operate on the site prior to commencing trading.

Meeting ended at 1.35 pm.

CHAIR _____



**Bristol City Council
Minutes of the
Public Safety and Protection Committee**



15 August 2017 at 10.00 am

Members present:-

Councillors Nicola Bowden-Jones, Richard Eddy (Vice-Chair), Carole Johnson, Mike Langley, Paula O'Rourke and Ruth Pickersgill (Chair)

1. Apologies

Apologies were received from Councillors Davies, Whittle and Windows.

2. Declarations of Interest

None.

3. Public Forum

None.

4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

RESOLVED:

That the committee procedure rules relating to the moving of motions and the rules of debate (CMR 10 and 11) be suspended for the duration of the meeting.



5. Hackney Carriage Vehicle Policy - Amendment to Grandfather Rights Provision and Emissions Policy

The committee considered a report setting out proposed Hackney carriage vehicle policy changes with specific reference to an amendment to “grandfather” rights provision and to the emissions policy.

Main points raised/noted:

a. The report essentially picked up two particular issues that needed to be clarified following the committee’s approval (on 28 February 2017) of a number of policy changes regarding the administration of Hackney carriage licences.

As per the report, the committee was asked to give approval to:

* allow the renewal of Hackney carriage licences following the transfer of a licence from a proprietor who has the benefits of the “grandfather” rights provision to a new proprietor who does not have the benefit of “grandfather” rights, with effect from 1 September 2017.

* to allow an amendment to the emissions policy to specify that other vehicles, e.g. petrol driven Euro 5 emission standard vehicles may be acceptable provided they comply with all aspects of the policy.

b. Following discussion, the committee indicated their general support for these two policy amendments. It was noted that the Hackney carriage trade was supportive of these policy amendments.

c. Others issues/points raised in discussion:

* It was noted that an application for a judicial review of the Hackney carriage policy decisions taken by the committee on 28 February 2017 had been refused.

* In relation to emissions, it was suggested that, as a sustainable city, and mindful that the city was not meeting its air quality targets, Bristol should look to proactively encourage, facilitate and, if appropriate incentivise the take up of electric vehicles by the trade into the future. It was noted, for example, that the London Taxi Company was currently launching a new electric version of their black cab, and that some incentives were being given to encourage take up, with Transport for London also appointing the suppliers who would provide the rapid charging points required. Further work would be progressed on how best to encourage the take-up of electric vehicles by the trade in Bristol. Approval of the recommendation in today’s report would in the meantime support the aim of improving air quality.

The committee then

RESOLVED:



1. That approval be given to allow the renewal of Hackney Carriage licences following the transfer of a licence from a proprietor who has the benefits of the “grandfather” rights provision to a new proprietor who does not have the benefit of “grandfather” rights with effect from 1 September 2017.

2. That approval be given to allow an amendment to the emissions policy to specify that other vehicles, e.g. petrol driven Euro 5 emission standard vehicles may be acceptable provided they comply with all aspects of the policy.

6. Hackney Carriage and Private Hire Fit and Proper Person Policy Review

The committee considered a report setting out proposed changes to the Hackney carriage and private hire Fit and Proper Person policy.

Main points raised/noted:

- a. The committee noted that the proposed policy changes were documented at paragraph 17 of the report.
- b. It was noted that the trade had not raised any issues or concerns in relation to the introduction of mandatory training for existing licensed drivers.
- c. In relation to the proposed medical test requirements, members were generally supportive of the proposed policy. It was suggested that in the first instance, the expectation should normally be that a driver should provide evidence of their health/fitness through a medical examination report from their GP as they would have relevant details of drivers’ personal medical health histories. If this was not possible, a medical assessment could be carried out through the Council’s commissioned occupational health service. It was noted that the trade had requested the option of drivers also being able to seek an assessment from an external provider(s). In the interests of public safety, irrespective of the way in which the assessment was sought, members confirmed that it would be essential to ensure accurate and up-to-date medical assessments. It was noted that in supporting the policy at today’s meeting, the committee recognised that further work would need to be undertaken by officers to firm up the detail of implementing the policy in this regard.

RESOLVED:

That approval be given to the adoption of the proposed changes to the Hackney carriage and private hire Fit and Proper Person Policy as set out in the report, and that it be noted that, as per c. above, further work will be undertaken by officers on the detail of implementing the policy in relation to medical tests and assessments.



7. Hackney Carriage Vehicle Advertising Policy

The committee considered a report setting out a proposed policy for advertising displayed on Hackney Carriage vehicles.

Main points raised/noted:

- a. The committee noted that the policy set out specific requirements in relation to advertising content, and on the licence holder's responsibilities in terms of adhering to the policy.
- b. It was noted that the trade was supportive of the policy.
- c. It was noted that an advertising policy was also being developed in relation to private hire vehicles. This would be the subject of a future report to the committee.

RESOLVED:

That, as per the report, approval be given to:

- 1. Adopt the policy for advertising on Hackney Carriage vehicles.**
- 2. Amend the Hackney Carriage Vehicle Policy to alter the location on which advertising can be displayed.**
- 3. Amend the Hackney Carriage vehicle licence conditions to permit advertising in accordance with the proposed amendments to the vehicle policy.**
- 4. Amend the Hackney Carriage and Private Hire vehicles inspection standards to permit advertising/tints on a vehicle's rear window.**

8. Private Hire Vehicles - Exemption from requirement to display vehicle identification plate policy

The committee considered a report setting out a proposal to adopt the Private Hire Vehicles – Exemption from requirement to display vehicle identification plate policy with effect from 1 September 2017.

Main points raised/noted:

- a. It was noted that the report set out the detail of the external consultation carried out.



b. Committee members generally indicated their support for the proposal, noting that, as per paragraph 11 of the report, it was proposed that applications for exemption from the requirement to display identification plates would be considered where prescribed requirements were met. These requirements were primarily related to work undertaken that was of an “executive” nature.

c. Cllr Eddy, however queried the need for these proposals, indicating that he was not aware of any complaints in relation to current practice.

RESOLVED (with Councillor Eddy voting against):

1. That the responses received as part of the external consultation be noted.

2. That approval be given to adopt the Private Hire Vehicles – Exemption from requirement to display vehicle identification plate policy with effect from 1 September 2017.

Meeting ended at 11.40 am

CHAIR _____



Bristol City Council
Minutes of the Public Safety and Protection
Committee



17 October 2017 at 10.00 am

Members Present:-

Councillors: Nicola Bowden-Jones, Chris Davies, Richard Eddy, Carole Johnson, Mike Langley and Paula O'Rourke

Officers in Attendance:-

1. Apologies

There were none.

2. Declaration of Interest

None were received.

3. Public Forum

Nothing was received.

4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

Resolved – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

5. Exclusion of the Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1972, the press and public be excluded for the following item of business on the ground that it involves the likely disclosure of



exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

6. SA - Application to renew Hackney Carriage Driver Licence.

SA was in attendance accompanied by a Solicitor, BS and an Interpreter.

The Complainant, LT was in attendance accompanied by a colleague, GF.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Neighbourhood Enforcement Officer introduced the report and summarised it for everyone.

BS put the case for SA highlighting the following:

- He has had an unblemished character for 20 years
- This is the first complaint against him
- The Complainant and her Colleague are both retired Police Officers who had been drinking in the pub and kissing each other
- LT's colleague did not accompany her to her house
- She concealed the fact that she was smoking
- SA had objected to her smoking
- She was using an electronic cigarette in the car
- She was not stable when she got out of the car and was unsteady on her feet
- She was drunk
- SA is disabled
- He has a wife and daughter and is the only person in his house who works
- The Complainant's husband was in the house when she arrived home
- No CCTV footage was provided
- It is requested that the Committee grants SA a Licence

The Neighbourhood Enforcement Officer stated that it was normal practice to interview taxi drivers who had been complained about under caution.

The Neighbourhood Enforcement Officer advised that a complaint had been made against SA on 9th August 2016 and that the allegations had been dealt with at the time. A letter had been sent to SA concerning the complaint. The Neighbourhood Enforcement Officer also confirmed that e-cigarettes are not forbidden under legislation.

SA asked Members to take account of his age and condition. He was not guilty of doing anything wrong but offered an apology if anyone had been offended by his behaviour.

The Neighbourhood Enforcement Officer confirmed that the fare for the journey would have been £12



and that a drop off in Gloucester Road would not have made any difference to the amount. The incident had taken place on 17th May 2017. The complaint had been received the day after the incident on 18th May 2017. (It was noted the statement concerning the complaint was taken on 31st May 2017.) No CCTV footage was not available as the relevant cameras are not situated close enough to identify anyone.

The Complainant, LT put her case highlighting the following:

- She does not smoke
- She has MS, having been diagnosed 4 years ago; she finds walking challenging
- She had consumed a few drinks but was not drunk or in the state alleged by SA
- She was able to provide a detailed description of SA, confirming that she was not drunk
- The fare was £12, not £16 as alleged by SA
- She had been for a meal but did not feel well enough to get a bus home
- GF had accompanied her to the taxi, but did not get into the taxi
- She had thought that she would be safe with an older man but SA had made her feel vulnerable and unsafe
- She felt very insulted by SA's allegations that she had been drunk and kissing in the back of the taxi
- When they arrived at her house she had been unable to exit the taxi until SA opened the door; she could not pass SA; she gave him a £20 note; he asked her for a kiss, she refused; she had to duck under his arm to get away from him and get to her house; she had not waited for the change from the £20 note but had not intended this as a tip of £8 on a £12 fare
- She had not lodged the complaint to ruin SA's life; she did however, not want the same thing to happen to anyone else; she does not want to feel frightened to get into a taxi again

GF made a statement highlighting the following:

- He confirmed what LT had said
- He helped her to the taxi and asked the driver to get her home safely
- He did not get into the taxi as he lives the other side of the City
- He did not kiss her
- They are long time colleagues
- He has a partner

LT stated that she is on medication and is able to drink. SA would not have known how much she had to drink on the evening in question. She clarified the e-cigarette device (a vape) which she has which had gone down the back of the seat in taxi when she opened her handbag. She showed the Committee the device. Her fiancé is disabled and has a heart problem. He is her registered carer. He had wanted to attend the Meeting as he is angry about what had happened to her, but had been unable to as he is not well. He was not asked to make a statement.

SA stated that LT gave him the money inside the car and had refused any change. She had asked him to



find her device down the back of the seat in the taxi.

LT stated again that she would not have given him an £8 tip on a £12 fare. She felt vulnerable because of his actions and just wanted to get to the safety of her house.

Neighbourhood Enforcement Officer stated that SA had originally stated that the complaint was racially motivated. BS stated that there was no racial element to the complaint.

BS summed up the case for SA.

The Neighbourhood Enforcement Officers, the Applicant, Solicitor, Interpreter, Complainant and Colleague left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Members noted that the two versions of events differed significantly. They felt that there were a number of inconsistencies and unanswered questions which prevented them from being able to decide which was the correct version of events. They therefore decided that they were unable to uphold the complaint and to take no action against the Licence held by SA.

Everyone returned to the room to hear the decision – which 1 Member voted against - announced.

Resolved – (1) that the Complaint was not upheld; and

(2) that Officers be authorised to renew the Hackney Carriage Driver’s Licence held by SA.

7. AA - Neighbourhood Enforcement Investigation.

AA was in attendance.

The Complainant, SJ was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Neighbourhood Enforcement introduced the report and summarised it for everyone. The Committee was shown relevant video footage recorded by a dash cam in SJ’s vehicle.

AA put his case and answered questions highlighting the following:

- He had been on his way to dropping his children, who are 14 and 15, off at Temple Meads Station as he had done for the past 3 years



- SJ had cut him up and put his brakes on
- At the next set of lights he had got out of his car to speak to SJ who claimed he was aggressive and abusive; he felt insulted when SJ said he was not fit to be a taxi driver
- He later went into a gap in the traffic but had to change lanes again due to the presence of a bus which was stopped in the lane he wanted to use
- He has never had a issue since he has been a taxi driver
- He was not aggressive or abusive towards SJ
- He accepted that he should not have got out of the car to confront SJ
- He does not usually behave this

The Neighbourhood Enforcement Officer advised that AA has a clean DVLA Licence. He also summarised previous history relating to AA including noting that in 2011 the PSP Committee had revoked his Licence.

SJ stated that the way AA behaved would have resulted in disciplinary procedure at the organisation he works for. AA had not shown any remorse and he was not happy with what had happened.

SJ summed up stating that he was sorry for what had happened.

The Neighbourhood Enforcement Officers, AA and Complainant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Legal Adviser stated that Members should take care with the evidence as the dash cam footage only showed one side of the incident.

Members were noted this incident and AA's previous history. They had concerns about his past and present behaviour. They noted the revocation of his Licence in 2011. They decided that they were no longer convinced he was a fit and proper person to hold a Private Hire Driver's Licence and decided to revoke the Licence.

Everyone returned to the room to hear the decision announced.

Resolved – that the Private Hire Driver's Licence held by AA be revoked as he is no longer a fit and proper person to hold such a Licence.

8. Block Listing

9. AJ - Report of an application for renewal of a Hackney Carriage Driver Licence



AJ was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. AJ has not been able to satisfy the Group 2 Requirement. He is required to pass a physical exercise test.

AJ put his case and answered questions highlighting the following:

- He has had a By-Pass Operation and circulated evidence confirming this
- He had been told that he needs to pass the other parts of the fit and proper test; the Licensing Officer confirmed that this is not the case and that he is now only required to pass the physical exercise test
- He was initially diagnosed with a heart problem in 2012 but his records were subsequently lost by the hospital

The Licensing Officer and AJ left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted that there appeared to be a misunderstanding between AJ and the Licensing Office about what he was expected to pass to renew his Licence.

The Members therefore confirmed that AJ should pass the required physical exercise test prior to his Licence being renewed.

Everyone returned to the room to hear the decision announced.

Resolved – that AJ must pass the required physical exercise test prior to his Hackney Carriage Driver's Licence being renewed.

10 SA - Report of an application for the grant of a Private Hire Driver Licence.

SA was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone.

SA put his case and answered questions highlighting the following:



- He tabled a letter and some character references
- He explained that the incidents were out of character and that he is paying the price
- He is now trying to make amends
- The recent incidents happened when his mother and father were dying in October 2016 and 2017 respectively
- He would like another chance as he has struggled to find work
- He has put his previous life behind him
- If he is granted a Licence he would like an exemption from doing the Knowledge Test as he passed it in 2007 and has sufficient knowledge of Bristol
- He had 4 points on his DVLA Licence which were cleared in January 2017
- The criminal damage related to when he was cut up by another driver, stopped, argued with the other driver and damaged his car
- He summed up his case

The Licensing Officer and Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted their policy.

They also noted the series of convictions.

They did not consider that they had heard sufficient evidence to convince them to set aside their policy in this case. They therefore decided to refuse the application.

Everyone returned to the room to hear the decision announced.

Resolved – that the application for a Private Hire Driver’s Licence made by SA be refused as he has not convinced the Council that he is a fit and proper person to hold such a Licence.

Meeting ended at 3.00 pm.

CHAIR _____





Bristol City Council
Minutes of the Public Safety and Protection
Committee



22 August 2017 at 11.30 am

Members Present:-

Councillors: Mike Langley, Paula O'Rourke and Chris Windows

Officers in Attendance:-

1. Apologies

Apologies were received from Councillor Ruth Pickersgill (substitute Councillor Mike Langley) and Councillor Lucy Whittle.

2. Declarations of Interest

None were received.

3. Public Forum

Nothing was received.

4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

Resolved – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

5. Exclusion of the Press and Public

There was no need for this as the next item was withdrawn from the Agenda.



6. Application for the Grant of a Hackney Carriage Driver Licence - TH

This item was withdrawn from the Agenda.

7. Application for the Grant of Street Trading Consent(s) at Billboard, Corner Of Junction With The Nursery, North Street, Bedminster - RR

RR was not in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She also clarified a few issues raised by Members.

The Licensing Officer left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted that they have a wide discretion in relation to deciding on street trading Consents and that their Policy provides them with guidance.

They considered that the location is not suitable, they noted the Highways Objection and the issues of obstruction, they considered amenity and nuisance issues given the nearby residential properties and considered that there was not a need for this type of business in the area.

They therefore refused the application.

Resolved – that the Application for a Street Trading Consent made by RR be refused.

8. Application for the Grant of Street Trading Consent(s) at North Street At Junction With Cherry Lane, City Centre - HS

HS was not in attendance.

The Licensing Officer introduced the report and summarised it for everyone. She also clarified a few issues raised by Members.

The Licensing Officer left the room whilst the Committee made its decision.

Decision



The Members considered very carefully all of the written and verbal evidence presented to them.

The Members noted the Highways comments and the suggestion that should the consent be granted a Condition be added concerning restricting blocking of the utility covers, and the tactile paving.

Members decided that with the addition of this Condition the Application should be granted. They consider this to be a suitable location and that there is a need for this type of outlet in the area.

Resolved – that the Application by HS for a Street Trading Consent be granted subject to the General Conditions and an additional Condition concerning restricting the blocking of the utility covers, and the tactile paving.

9. Application for the Grant of Street Trading Consent(s) at Counterslip Junction with Temple Street - PK

PK was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone.

PK put his case highlighting the following:

- He has worked in the restaurant trade for 9 years and now wants to work for himself
- He already has a nearby unit that is due to start trading on 28th august 2017
- This would be a second unit
- There are lots of offices near this location
- He acknowledges that there are other outlets in the vicinity would he would offer something different
- He was not aware of an adjacent market operating on Fridays – he would be willing to not trade on Fridays
- He would be willing to not start trading until the nearby developments have been completed

The Licensing Officer and the Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They did not consider the location to be suitable. They gave considerable weight to the Highways objection. They also noted Councillor Windows local knowledge of the area.

They therefore decided to refuse the application.



Resolved - that the Application for a Street Trading Consent made by PK be refused.

Meeting ended at 2.00 pm.

CHAIR _____



**Bristol City Council
Minutes of the Public Safety and Protection
Committee Sub B**



19 September 2017 at 10.00 am

Members Present:-

Councillors: Ruth Pickersgill (Chair), Lucy Whittle and Chris Windows

Officers in Attendance:-

Ashley Clark, Sarah Flower, Wayne Jones, Claudette Campbell (Democratic Services Officer) and Oliver Harrison (Democratic Services Officer)

- 1. Apologies – None**
- 2. Declaration of Interest**

Cllr Ruth Pickersgill, withdrew from the discussion in respect of Agenda Item 6, when it became apparent she was aware of the party involved in this matter.

- 3. Public Forum**

None

- 4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate**

RESOLVED:

That the committee procedure rules relating to the moving of motions and the rules of debate (CMR 10 and 11) be suspended for the duration of the meeting.

- 5. Exclusion of the Press and Public**

RESOLVED:



That under Section 11A (4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that the business to be considered involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

6. Conviction of a Hackney Carriage Driver's Licence - JAS

JAS was in attendance.

The sub-committee considered the appropriate action following a driving conviction in relation to granting a Hackney Carriage driver licence.

The Licensing Officer outlined key details set out in the report.

The applicant then presented his case, supported by Cllr Bradley and a trade representative. Reference was made to the letters in support that had been attached to the report.

The applicant provided details of the incident that incurred on the 17th November 2016 and issues arising from the road traffic accident. The incident was with a cyclist and all emergency services were present. The cyclist was hospitalised sustaining a head injury. The impact was on the driver's side wheel arch following a collision. The applicant confirmed that he had proceeded through the junction on a green light.

The applicant has held his license since 1995/2000 so had 20 years experience driving a taxi without major issues. He confirmed that he co-operated fully with the police and immediately advised Licensing of the incident and pending prosecution. He also adopted the principles of Restorative Justices by sending a letter to the injured party with an apology. He had also contacted Sustrans to undertake training to ensure that he was cyclist aware. He further advised that he had been without an income for 4 months as a result of the suspension of his driving licence.

Cllr Bradley addressed the sub-committee advising that she was in attendance to support JS and endorse him as a person of good character. JS was resident in her constituency; his actions to mitigate the situation demonstrated his remorse; the impact had been felt by him emotionally and by his family economically.

MA friend in support addressed the sub-committee confirming he had attended in support of JS and substantiate the letter sent in support that attested of JS good character.

After questions had been concluded, both the Licensing Officer and the applicant summed up.

The Licensing Officer and the Applicant and representatives left the room whilst the Sub-Committee considered its decision.

The sub-committee members considered very carefully all the written and verbal evidence presented.

The sub-committee received and noted the legal advice and considered:



As per the factual information detailed in the officer report, the applicant had been convicted following the road traffic incident receiving a 4 month ban that ran from 20th June 2017 to 20th October. The Hackney Licence was due for renewal on the 31st October. That Council Policy directed that drivers were free from conviction for a period up to 2 years on the issue of a Hackney Carriage Licence. The sub-committee had to consider whether the applicant was a 'fit & proper' person and whether to depart from Council Policy.

The sub-committee and noted the positive steps taken by the applicant following the incident, in co-operating with the authorities and the licensing service. They considered the actions taken in the form of mitigation, the applicant's actions as per the principles of restorative justice, and the applicants Character references; early notification of the incident to Licensing; 20 years taxing driving experience; acted to demonstrate that he was 'fit & proper' person.

Resolved:

The Sub-committee agreed in this case to set aside Council Policy and authorised officers that on the return of the applicants DVLA licensing on the 20th October 2017, they restore and then renew the Hackney Carriage Licence on the 31st October.

The Licensing Officer and the applicant returned to the room and were informed of the Sub-Committee's decision.

7. Notification of a Medical Procedure, Seeking Departure from Council Policy - AM

Licensing Officer advised that this matter had been withdrawn.

8. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Council Policy and Request for Plate Exemption - AI

Licensing Officer advised that the application had been postponed to the next sub-committee hearing list.

9. Application for the Renewal of a Private Hire Vehicle seeking departure from Bristol City Council Policy - II

Licensing Officer advised that this matter had been withdrawn.

10 An Application for the Grant of a Private Hire Driver Licence seeking Departure from Council Policy - DA

The applicant DA was in attendance.

The Licensing Officer presented the report that outlined his medical condition and treatment and requirement as set out in Council Policy that gave rise to refusal for the private hire licence.



The applicant addressed the sub-committee.

- DA shared that he was awaiting the result of a further assessment was confident that he would meet the required condition
- The appoint at the Heart Institute was fixed for 22nd September and the result would be known thereafter
- The test following the operation in January 2017 gave a reading of 35% but he was confident that the upcoming test would provide a result over 40% nearer 100% as he was over the convalescent period.
- He had been 9 months without work and the situation was very stressful.
- He was fit and healthy and driving privately on a daily basis

The Licensing Officer and the applicant left the room whilst the Sub-Committee considered its decision.

The Sub-committee after considering the above together with Legal advice and having questions answered on the timing of the report brought by Licensing Officers. DA medical results would be known on or immediately after the 22nd September and if those results provided a reading above the required level of 40%, DA would attend the Licensing Office with the evidence. Licensing would proceed to re-issue the Private Hire Driver Licence without any reference to the Sub-committee. Alternatively if the result was below the policy guidelines the application could return to the next committee after that date. The sub-committee was advised to adjourn the application.

Resolved:

That the application be adjourned to the 17th October.

The Licensing Officer and the applicant returned to the room and were informed of the Sub-committee's decision.

The Chair advised DA that the decision would be deferred to allow for the results of the test on the 22nd October 2017. DA was advised to attend the Licensing office immediately afterwards with the result.

11 To Consider an Application for the Grant of Street Trading Consent(s) at Pavement in front of Freshford House, Redcliffe Way, Bristol - FP

The applicant FP and a friend JD were in attendance.

The Licensing Officer presented the report outlining the reason for refusal, referencing the last refusal on the same site.

FP addressed the sub-committee outlining:

- That the offer was different from the previous application
- The vehicle was of a high spec, vintage in design and would be serving quality coffee and appropriate refreshment for passing trade



- That every effort would be made to enhance the area by tidying up litter from other sources and cutting back and maintaining the over grown bushes
- Pictures were submitted showing the location of the vehicle in relation to the walkway and highway
- A survey of footfall on the pedestrian area was shared to counter argue the claims of congestion
 - That 36 people a minute used the pavement
 - Of the 1700 that used the pathway in the 3 hours the area was surveyed, only 3 persons walked on the area proposed for the vehicle to be stationed
- That time and resource had been spent refurbishing the vehicle and to recovery this outlay the applicant needed to trade
- Pictures were shared on how the vehicle would be positioned in the given location in relation to the cycleway and pedestrian walk way and entrance to Freshford House.
- The objection in relation to smell was not relevant as they would be serving coffee and homemade cakes.

The Licensing Officer and the applicant left the room whilst the Sub-Committee considered its decision.

The sub-committee consider the presentation by FP & IC and the legal advice provided.

That the current application differed from the previous application because the offering was different; in that it intended to serve a different market, the daytime economy; refreshments were coffee and cakes; the offer to maintain the area; that customers would be passers-by and would not keep people in the area; noted that the previous application was refused on the basis of commercial need.

RESOLVED:

To consent to the Grant of a Street Trading Consent at Pavement in front of Freshford House, Redcliffe Way, Bristol. Subject to the condition to resolve issues arising from rubbish.

The Licensing Officer and the applicant returned to the room and were informed of the Sub-Committee's decision.

12 To Consider an Application for the Grant of Street Trading Consent(s) at Lay-By At St Catherines Court, Berkeley Place, Bristol - IC

The applicant IC was in attendance with a relative his Nephew to interpret proceedings.

The Licensing Officer clarified that it was standard procedure for the service to provide the interpreter to ensure that the information being shared between parties was clear and unbiased.

The Chair after hearing from all parties was mindful to allow the presentation of the application to continue.

The Licensing Officer presented the report and drew the Sub-committee to the reason why the consultation process had not taken place. The application was for a grant of consent on an area of highway that has an active TRO, that limits that area of the highway to be used as a loading bay 24hrs a day. On that basis refusal was requested.



The Licensing officer read a letter sent by the legal representative of the applicant. That sought to explain that the applicant was seeking a short term licence in the loading bay on the basis that the bay was underused after 7pm and the applicants activity would cause limited impact on the highway.

The applicant relative outlined the reasons for the application;

- Shared a picture of the vehicle in question
- Shared a picture of the vehicle in situ
- Explaining that the location was chosen because it was on the way from the busy night time venues and had high footfall of passers-by.
- It was in a location away from perceived areas of trouble
- That as the bay was not used in the evening that temporary consent should be granted for a short period to allow for an assessment on progress

The Licensing Officer and the applicant left the room whilst the Sub-Committee considered its decision.

The sub-committee consider the presentation by both parties and legal advice provided. That the sub-committee did not have the authority to grant consent that would give rise to an illegal activity. The applicant should be encouraged to find an alternative location, not in the CIA area and that would support a successful application for a late night refreshment licence.

RESOLVED:

To refuse the application for the grant of a Street Trading Consent in the Lay-by at St Catherine's Court.

The Licensing Officer and the applicant returned to the room and were informed of the Sub-Committee's decision.

Meeting ended at 3.00 pm

CHAIR _____



Bristol City Council
Minutes of the Public Safety and Protection
Committee



10 October 2017 at 10.00 am

Members Present:-

Councillors: Nicola Bowden-Jones, Chris Davies, Richard Eddy (Vice-Chair), Carole Johnson, Mike Langley, Paula O'Rourke, Ruth Pickersgill (Chair) and Lucy Whittle

Officers in Attendance:-

Ashley Clark and Claudette Campbell (Democratic Services Officer)

1. Apologies

The Chair, Cllr Pickersgill, welcomed and led introductions.

Noted apologies from Cllr Windows.

2. Declaration of Interest

None

3. Public Forum

Statement received from David Redgewell on the Accessibility for all on all forms of vehicles.

Action: Jonathan Martin, Trading Standards and licensing Manager, was tasked to investigate and ascertain who would provide information back to the Committee on the 15th November.

4. Petition presented by Hackney Drivers of Bristol

Mr A Djahlat on behalf of Hackney Drivers of Bristol presented the petition.

The Chair invited him to address the committee. The following points were noted from his presentation:



- Concerns were raised about the extent of the rules imposed on hackney taxi drivers that they felt did not benefit the public
- That the need to accessibility taxis did not always benefit those who found entering and exiting such vehicles difficult, particularly the old and those with other forms of disabilities.
- That they had far more elderly and less mobile passengers than they did wheelchair users.

The Chair invited question from comment on points of clarity in respect of the petition statement.

- a. Cllr Eddy requested that information was provided in writing on the allegations raised with regards the MOT stations.
- b. Cllr Davis enquired whether the reason for the statement was because they felt they were not being heard.
 - a. The petitioner explained that at the forum meetings they were advised that the issues raised would not be brought to committee and they were advised to do so themselves.
- c. The Chair informed all that the forum meetings did take place and were minuted. The forum was in place to influence and support BCC policy development. The process was good.
- d. Cllr Langley requested updated details on the 2010 Regulations and the implications.

Chair, thanked the petitioner and those in attendance for addressing the committee. The appropriate offices will be tasked to respond and update the committee and forum in respect of the issues raised.

Meeting ended at 10.30 am

CHAIR _____



Bristol City Council
Minutes of the Public Safety and Protection
Committee



10 October 2017 at 10.30 am

Members Present:-

Councillors: Chris Davies, Richard Eddy (Vice-Chair), Carole Johnson, Mike Langley and Paula O'Rourke

Officers in Attendance:-

Claudette Campbell (Democratic Services Officer) and Abigail Holman

1. Apologies

The Chair welcome those present and led introductions

2. Declaration of Interest

Noted against the relevant agenda item

3. Public Forum

None

4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

Resolved – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

5. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Council Policy and Request Exemption -AI

AI was in attendance.



The Chair welcomed and led introductions.

The Committee with the applicant and the Licensing Officer left the chamber to inspect the vehicle.

The Members were asked to observe the make and model of the car and the tinted windows.

On returning to the chamber the Licensing Officer introduced the report.

Committee was asked to consider the applicant's request to depart from Council policy in the granting of an exemption to display private hire identification plates and from the requirement that rear windows must allow at least 65% of light to be transmitted through them. On assessment it was found that the vehicle side window transmitted only 35.2% light.

The applicant sought the exemption on the basis that the business conducted was for private hire for executive use. The applicant had made a further request to be exempt from displaying private hire plates.

AI put his case and answered questions highlighting the following:

- His business was concerned with the hiring out of vehicles to professional drivers following damage to their own vehicles as a result of a road traffic incident, that resulted in their own hire vehicles being taken off the road for repair by their insurance company.
- They had a fleet of approximately 20 vehicles.
- The intention was to hire out an appropriate vehicle to executive hire companies who require a replacement vehicle, and this vehicle would be used for high profile customers.
- The vehicle would be provided to a licensed driver.
- They liaised with insurance companies in respect of replacement cars for taxi drivers.
- The request for the vehicle not to display plates was based on the type of use, that is executive use.
- Prepared to remove this request if the application for tinted windows granted.
- The tinted windows and exemption from displaying plates would support the business move into the executive hire business.

The Licensing Officer and the Applicant left the Chamber whilst the Committee made its decision.

The Members considered the outcome of the visual inspecting the vehicle and the presentation made by both parties.

The Legal Advisor drew member's attention to the details of the application and the applicant's description on how the vehicle will be used. He stated that the vehicle would be used 75% for weddings and the remainder for executive hire. He is not trading in this area of business and unable to provide any evidence to substantiate the usage.



Members considered the request for exemption for a vehicle that will only be used for executive work for 25% of its hire. They also considered that as the vehicle was a replacement vehicle to licensed individuals there were no controls on usage that could be imposed whilst the vehicle was not in the applicant's control. Members felt that this was detrimental to policy because committee were unable to condition anticipated use.

Members then considered whether the applicant offering to remove the request from exemption to display would support the granting of the exemption with regards the use of vehicle whilst not meeting the levels of light transmission. Members considered the levels of light transmission were so below the required level that it would be detriment to policy.

Committee appreciated the business need to grow and develop but they needed to consider the policy and whether use could be conditioned. The use could not be conditioned so the application fell outside policy.

The applicant and Licensing Officer returned to the chamber.

Resolved – that the application for the grant of a Private Hire Vehicle (PHV) licence seeking a departure from council policy and a request for an exemption from the display of plates on PHV be refused.

6. Exclusion of the Press and Public

7. Report of an Application for the Grant of a Hackney Carriage Driver Licence - TH

TH was not in attendance.

The Licensing Officer sought Committee's agreement to proceed as the application had been adjourned on two separate occasions.

The Chair and Members noted the position and agreed that the application could be considered in the applicant's absence because he had been given a number of opportunities to attend.

The Licensing Officer introduced the report and summarised the circumstances surrounding the reasons they sought refusal to the granting of a Hackney Carriage Driver (HCD) Licence to TH.

The Licensing officer left the Chamber.

The Committee considered the written evidence before them and sought legal advice.

They noted the details given following an Enhanced Disclosure and Barring Service (DBS) application that related to assault and actual bodily harm conviction. The incidents were 18 months apart and involved females in a taxi. The policy directed that applicants must be free from convictions for a fixed period of time, 5 to 8 years. The written evidence provided gave no unusual or peculiar circumstances surrounding the conviction. Members unanimously agreed that they saw no reasons to depart from council policy and did not consider the applicant a fit and proper person as laid down by policy.



Resolved: that the application for a grant of a Hackney Carriage Driver (HCD) Licence be refused.

8. Report to consider an application for the Grant of Street Trading Consent(s) at Outside 384-386 Filton Avenue Bristol - RA

The application had been withdrawn

9. Report to consider an Application for the Grant of Street Trading Consent at Corner of Temple St Junction, Behind Fire Station, Counterslip Bristol SA

Open Session

Declaration of Interest:

Cllr Langley and O'Rourke shared with members that they had been present at the hearing of an application for the same site on the 22nd August. The Legal Advisor present considered the situation and concluded that as this was a separate application and differed to that heard they could continue to sit.

SH was in attendance.

The Chair welcomed and led introductions.

The Licensing Officer introduced the report and summarised the reason for the application.

SH was invited to present his case and address the questions put by committee.

- The previous application for street trading on that site had been refused because of highways objection.
- Details were provided of his business model, that he would be selling beverages but not coffee if it impacts on other businesses; and usual lunch time food.
- The structure would be built on site and a static unit, to be on site at all times.
- The business model was devised before the current developments in the area restricted road access and the pedestrian walkway.
- That the location was seen as one with high footfall that would enhance business sales.
- That he had also considered that selling on, viable business, would attract more interest.
- Planning permission would be needed for the unit before trading could commence.

The Licensing Officer with the Applicant left the chamber to allow Committee to make its decision.

Decision

The Members considered the written reports and the verbal evidence presented to them.



The Legal Advisor reviewed the information provided with the members. They were reminded that Planning and Street Trading consent differed.

Members were mindful that the structure being proposed was fixed and not moveable. It would impact the restrictions arising from the ongoing development at Finzels Reach and the former Fire Station site, further impacted by the introduction of a cycle lane. The location if absent from the existing nearby construction and inevitable impact on movement of pedestrians and cyclist and cars, would be viable site. Members considered that they must note the impact on congestion and the potential risk to pedestrians and cyclist therefore could not support the application.

Members were impressed with the applicant's intended offer but the risks associate with the location and highways exceeded his right to trade. The applicant should consider an alternative location.

The Licensing Officer and Applicant returned to the chamber to hear the decision.

Resolved: that the application for the Grant of Street trading consent at Corner of Temple Street Junction, behind Fire Station, Counterslip, Bristol be refused.

10 Report of an Application for the Grant of a Hackney Carriage Driver Licence - AM

The Chair moved that the committee go into Closed session

Cllr Langley advised the Committee that he knew the applicant and therefore would withdraw from the Chamber. He left the chamber.

AM was in attendance.

Chair welcomed and led introductions.

The Licensing Officer introduced the report and summarised the reason for the application.

AM was invited to put his case and address the questions put by committee.

- AM had been employed by First Bus Group for some years as a bus driver and therefore had knowledge of many routes in and around Bristol.
- He was aware of how to treat customers, experience of dealing with children and the elderly.
- He had taken on the policy requirements for First Bus in how to deal with customers.
- He did not want to take the test because he got nervous and unable to cope in a test situation.
- He felt that the information and support given prior to taking the test did not support him.
- He had lived in the Netherlands previously and attended school there. Moving to England to be with family.
- He informed members that he was not concerned about reading and writing but was concerned about how nervous he became in test situation.



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The Licensing Officer with the Applicant left the chamber to allow Committee to make its decision.

Decision

The Members considered the written reports and the verbal evidence presented to them.

The Legal Advisor advised members that, the Hackney Driver knowledge test was an essential step towards establishing that a driver was a 'fit and proper person'. Evidence provided by officers indicated that he had sat the test twice on both occasions failing to reach the pass mark. Scoring first 38/100 and then subsequently 41/100, well below the pass mark of 90.

Members considered that the knowledge needed by taxi drivers on the street networks, of Bristol, were far more extensive than that required for a person driving a bus on a main road to set routes. That no evidence was provided of a medical reason for his limitation and/or of any recognised learning difficult.

Members unanimously agreed that they had not been provided with any information to support a request to support the applicant's request to be an exception to the policy.

The Licensing Officer and Applicant returned to the chamber to hear the decision.

Resolved: that the applicants request to be exempt from the knowledge test for all applicants requesting a Hackney Carriage Driver Licence be refused.

11 Report of an Application for the Grant of a Private Hire Driver Licence - AB

AB was in attendance

The Chair welcomed and led instructions reminding all that the committee was in Closed session.

The Licensing Officer introduced the report and summarised the reason for the application.

AB was then invited to present his case and address the questions put by committee:

- He had lived in Bristol for 16 years and whilst working as a postman developed knowledge of the Bristol area.
- He therefore did not want to spend money on the knowledge test.
- He had taken the test prior to 2008 when he held a licence for a short time before moving to work as a postman

The licensing Officer and the Applicant left the chamber whilst the Committee made its decision.

Decision

The Members considered very carefully all the written and verbal evidence presented to them.



The Legal Advisor directed Members to the policy that required all applicants to take and pass the knowledge test unless reasons are presented to satisfy committee that they should be exempt. Members noted that the applicant had taken the test more than 10 years ago and in that time Bristol had change substantially. The argument of cost involved and the knowledge gained whilst working for the post office was not considered strong enough to support a departure from policy. The applicant should take the test as it would greatly benefit him.

The Licensing Officer and Applicant returned to the Chamber.

Resolved: that the application for the grant of a Private Hire Driver (PHD) Licence be refused.

Meeting ended at 3.00 pm

CHAIR _____



Bristol City Council
Minutes of the Public Safety and Protection
Committee



17 October 2017 at 10.00 am

Members Present:-

Councillors: Nicola Bowden-Jones, Chris Davies, Richard Eddy, Carole Johnson, Mike Langley and Paula O'Rourke

Officers in Attendance:-

1. Apologies

There were none.

2. Declaration of Interest

None were received.

3. Public Forum

Nothing was received.

4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

Resolved – that having regard to the quasi-judicial nature of the business on the Agenda, those Committee Procedure Rules relating to the moving of motions and the rules of debate (CMR10 and 11) be suspended for the duration of the meeting).

5. Exclusion of the Press and Public

Resolved – that under Section 11A (4) of the Local Government Act 1972, the press and public be excluded for the following item of business on the ground that it involves the likely disclosure of



exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

6. SA - Application to renew Hackney Carriage Driver Licence.

SA was in attendance accompanied by a Solicitor, BS and an Interpreter.

The Complainant, LT was in attendance accompanied by a colleague, GF.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Neighbourhood Enforcement Officer introduced the report and summarised it for everyone.

BS put the case for SA highlighting the following:

- He has had an unblemished character for 20 years
- This is the first complaint against him
- The Complainant and her Colleague are both retired Police Officers who had been drinking in the pub and kissing each other
- LT's colleague did not accompany her to her house
- She concealed the fact that she was smoking
- SA had objected to her smoking
- She was using an electronic cigarette in the car
- She was not stable when she got out of the car and was unsteady on her feet
- She was drunk
- SA is disabled
- He has a wife and daughter and is the only person in his house who works
- The Complainant's husband was in the house when she arrived home
- No CCTV footage was provided
- It is requested that the Committee grants SA a Licence

The Neighbourhood Enforcement Officer stated that it was normal practice to interview taxi drivers who had been complained about under caution.

The Neighbourhood Enforcement Officer advised that a complaint had been made against SA on 9th August 2016 and that the allegations had been dealt with at the time. A letter had been sent to SA concerning the complaint. The Neighbourhood Enforcement Officer also confirmed that e-cigarettes are not forbidden under legislation.

SA asked Members to take account of his age and condition. He was not guilty of doing anything wrong but offered an apology if anyone had been offended by his behaviour.

The Neighbourhood Enforcement Officer confirmed that the fare for the journey would have been £12



and that a drop off in Gloucester Road would not have made any difference to the amount. The incident had taken place on 17th May 2017. The complaint had been received the day after the incident on 18th May 2017. (It was noted the statement concerning the complaint was taken on 31st May 2017.) No CCTV footage was not available as the relevant cameras are not situated close enough to identify anyone.

The Complainant, LT put her case highlighting the following:

- She does not smoke
- She has MS, having been diagnosed 4 years ago; she finds walking challenging
- She had consumed a few drinks but was not drunk or in the state alleged by SA
- She was able to provide a detailed description of SA, confirming that she was not drunk
- The fare was £12, not £16 as alleged by SA
- She had been for a meal but did not feel well enough to get a bus home
- GF had accompanied her to the taxi, but did not get into the taxi
- She had thought that she would be safe with an older man but SA had made her feel vulnerable and unsafe
- She felt very insulted by SA's allegations that she had been drunk and kissing in the back of the taxi
- When they arrived at her house she had been unable to exit the taxi until SA opened the door; she could not pass SA; she gave him a £20 note; he asked her for a kiss, she refused; she had to duck under his arm to get away from him and get to her house; she had not waited for the change from the £20 note but had not intended this as a tip of £8 on a £12 fare
- She had not lodged the complaint to ruin SA's life; she did however, not want the same thing to happen to anyone else; she does not want to feel frightened to get into a taxi again

GF made a statement highlighting the following:

- He confirmed what LT had said
- He helped her to the taxi and asked the driver to get her home safely
- He did not get into the taxi as he lives the other side of the City
- He did not kiss her
- They are long time colleagues
- He has a partner

LT stated that she is on medication and is able to drink. SA would not have known how much she had to drink on the evening in question. She clarified the e-cigarette device (a vape) which she has which had gone down the back of the seat in taxi when she opened her handbag. She showed the Committee the device. Her fiancé is disabled and has a heart problem. He is her registered carer. He had wanted to attend the Meeting as he is angry about what had happened to her, but had been unable to as he is not well. He was not asked to make a statement.

SA stated that LT gave him the money inside the car and had refused any change. She had asked him to



find her device down the back of the seat in the taxi.

LT stated again that she would not have given him an £8 tip on a £12 fare. She felt vulnerable because of his actions and just wanted to get to the safety of her house.

Neighbourhood Enforcement Officer stated that SA had originally stated that the complaint was racially motivated. BS stated that there was no racial element to the complaint.

BS summed up the case for SA.

The Neighbourhood Enforcement Officers, the Applicant, Solicitor, Interpreter, Complainant and Colleague left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Members noted that the two versions of events differed significantly. They felt that there were a number of inconsistencies and unanswered questions which prevented them from being able to decide which was the correct version of events. They therefore decided that they were unable to uphold the complaint and to take no action against the Licence held by SA.

Everyone returned to the room to hear the decision – which 1 Member voted against - announced.

Resolved – (1) that the Complaint was not upheld; and

(2) that Officers be authorised to renew the Hackney Carriage Driver’s Licence held by SA.

7. AA - Neighbourhood Enforcement Investigation.

AA was in attendance.

The Complainant, SJ was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Neighbourhood Enforcement introduced the report and summarised it for everyone. The Committee was shown relevant video footage recorded by a dash cam in SJ’s vehicle.

AA put his case and answered questions highlighting the following:

- He had been on his way to dropping his children, who are 14 and 15, off at Temple Meads Station as he had done for the past 3 years



- SJ had cut him up and put his brakes on
- At the next set of lights he had got out of his car to speak to SJ who claimed he was aggressive and abusive; he felt insulted when SJ said he was not fit to be a taxi driver
- He later went into a gap in the traffic but had to change lanes again due to the presence of a bus which was stopped in the lane he wanted to use
- He has never had a issue since he has been a taxi driver
- He was not aggressive or abusive towards SJ
- He accepted that he should not have got out of the car to confront SJ
- He does not usually behave this

The Neighbourhood Enforcement Officer advised that AA has a clean DVLA Licence. He also summarised previous history relating to AA including noting that in 2011 the PSP Committee had revoked his Licence.

SJ stated that the way AA behaved would have resulted in disciplinary procedure at the organisation he works for. AA had not shown any remorse and he was not happy with what had happened.

SJ summed up stating that he was sorry for what had happened.

The Neighbourhood Enforcement Officers, AA and Complainant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

The Legal Adviser stated that Members should take care with the evidence as the dash cam footage only showed one side of the incident.

Members were noted this incident and AA's previous history. They had concerns about his past and present behaviour. They noted the revocation of his Licence in 2011. They decided that they were no longer convinced he was a fit and proper person to hold a Private Hire Driver's Licence and decided to revoke the Licence.

Everyone returned to the room to hear the decision announced.

Resolved – that the Private Hire Driver's Licence held by AA be revoked as he is no longer a fit and proper person to hold such a Licence.

8. Block Listing

9. AJ - Report of an application for renewal of a Hackney Carriage Driver Licence



AJ was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. AJ has not been able to satisfy the Group 2 Requirement. He is required to pass a physical exercise test.

AJ put his case and answered questions highlighting the following:

- He has had a By-Pass Operation and circulated evidence confirming this
- He had been told that he needs to pass the other parts of the fit and proper test; the Licensing Officer confirmed that this is not the case and that he is now only required to pass the physical exercise test
- He was initially diagnosed with a heart problem in 2012 but his records were subsequently lost by the hospital

The Licensing Officer and AJ left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted that there appeared to be a misunderstanding between AJ and the Licensing Office about what he was expected to pass to renew his Licence.

The Members therefore confirmed that AJ should pass the required physical exercise test prior to his Licence being renewed.

Everyone returned to the room to hear the decision announced.

Resolved – that AJ must pass the required physical exercise test prior to his Hackney Carriage Driver's Licence being renewed.

10 SA - Report of an application for the grant of a Private Hire Driver Licence.

SA was in attendance.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone.

SA put his case and answered questions highlighting the following:



- He tabled a letter and some character references
- He explained that the incidents were out of character and that he is paying the price
- He is now trying to make amends
- The recent incidents happened when his mother and father were dying in October 2016 and 2017 respectively
- He would like another chance as he has struggled to find work
- He has put his previous life behind him
- If he is granted a Licence he would like an exemption from doing the Knowledge Test as he passed it in 2007 and has sufficient knowledge of Bristol
- He had 4 points on his DVLA Licence which were cleared in January 2017
- The criminal damage related to when he was cut up by another driver, stopped, argued with the other driver and damaged his car
- He summed up his case

The Licensing Officer and Applicant left the room whilst the Committee made its decision.

Decision

The Members considered very carefully all of the written and verbal evidence presented to them.

They noted their policy.

They also noted the series of convictions.

They did not consider that they had heard sufficient evidence to convince them to set aside their policy in this case. They therefore decided to refuse the application.

Everyone returned to the room to hear the decision announced.

Resolved – that the application for a Private Hire Driver’s Licence made by SA be refused as he has not convinced the Council that he is a fit and proper person to hold such a Licence.

Meeting ended at 3.00 pm.

CHAIR _____





Bristol City Council
Minutes of the Public Safety and Protection
Committee Sub B



14 November 2017 at 10.00 am

Members Present:-

Councillors: Paula O'Rourke, Ruth Pickersgill (Chair) and Lucy Whittle

Officers in Attendance:-

1. Apologies

The Chair welcomed those present to the meeting and introductions were made. Apologies were received from Cllr Chris Windows.

At the start of the meeting it was noted that items 5 (Crazy Pig and Hillbillies – street trading) and 8a (Application for the grant of a Hackney Carriage Licence seeking departure from Council Policy – SM) had been withdrawn from the agenda.

2. Declaration of Interest

Cllr Ruth Pickersgill indicated that she knew of Kerry Barker (solicitor representing D & B Takeaway) when he ran as a labour candidate. The legal adviser to the Committee confirmed that under these particular circumstances there was no conflict of interest.

3. Public Forum

None received.

4. Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate

RESOLVED: That the committee procedure rules relating to the moving of motions and the rules of debate (CMR 10 and 11) be suspended for the duration of the meeting.



5. Crazy Pig and Hillbillies - Street Trading - WITHDRAWN

6. Ayan Dogan D & B Takeaway - Street Trading

(Open session)

The applicant AD, his brother JD and Kerry Barker (Counsel for the applicant) were in attendance together with an interpreter for the applicant.

The Chair welcomed those present to the meeting and introductions were made.

The Licensing Officer presented the report and provided the following additional information:-

- The applicant has agreed to address all concerns raised by Destination Bristol, which included repainting the trailer and moving it on and off the site at the start and end of trading each day.
- From an officer perspective this would resolve the issues raised in the report

Mr Barker representing the applicant added the following information for consideration by the Committee:

- The applicant has been trading at this site for 10 years. He previously traded under the market regime and not the consent regime. There has never been a problem at this location.
- Renewals were not sent by post in this case, they were sent by email (as is now the practice) and the applicant had not receive them. AD does not have an email account and JD was in Turkey with limited or no internet access.
- The van should have been removed at the end of each trading day but the roadworks at the time prevented them from doing so. It was not in the interest of the applicant to leave the vehicle in this location unattended as it was vulnerable to vandalism.
- The conditions of the consent do not currently state that the van must be removed and the Committee were therefore asked to consider adding this condition when determining this application as a way of assuaging any concerns.
- KB previously represented the Council in opposing the extension of 'Kebab Corner'. All concerned wanted units across the City Centre to aid dispersal during the night time economy. The applicants offering assisted in that regard.
- The applicant cleaned up the streets every night and essentially does a public service

AD added that he had never had any trouble in this location or been subject of any formal complaint. At the end of the shift, staff often gave free food to homeless people.

The Licensing Officer and the applicant side left the room whilst the Sub-Committee considered its decision.

Decision

During deliberations, Members carefully considered the written and verbal evidence presented to them. Members stated this offer brought something important to the night-time economy and there was no



evidence to suggest that it should not be located in this area. The representation from Destination Bristol was not helpful as it did not provide any detail and had not been a formal complaint. Members decided to renew the consent with an additional condition to remove the trailer at the end of each night when trading hours had finished.

The Licensing Officer and applicant together with his representative returned to the room and were informed of the Sub-Committee's decision, by the Chair.

RESOLVED:

That the renewal of Street Trading consent at Clare Street, Bristol be approved subject to the inclusion of an additional condition to remove the trailer at the end of each night when trading hours have finished.

7. Exclusion of the Press and Public

RESOLVED:

That under Section 11A (4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that the business to be considered involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended.

8. Application for the renewal of a Private Hire Drive Licence 4455 - CCC

CCC was in attendance

The Chair welcomed those present to the meeting and introductions were made.

The Licensing Officer presented the report and summarised the reasons for the application for renewal of the PHD Licence which expired on 03 October 2017. It was noted that CCC had made a false statement in his previous renewals dated 12 January 2015 and 05 October 2015. CCC's subsequent applications only enquired as to convictions/cautions received since the grant of the last licence so the applicant's signed statement was true.

CCC was then invited to present his case and address any questions put by the Committee:-

- In relation to the conviction the applicant stated that he had been giving a lift in his private car to someone who was wanted by the police.
- He was stopped and arrested along with the suspect. The suspect was arrested for kidnap and GBH. CCC was arrested for assisting an offender. It was the offender's cannabis but as it was in the applicant's vehicle he accepted a 'simple caution' for being in possession of it. A copy of the simple caution issued by the police was circulated to the Committee.



- CCC stated that he had historical troubles and convictions. If the police had really thought that the cannabis was his, he believed that they would not have offered him a simple caution and would have dealt with him more seriously.
- He explained that at the time of applying for renewals he had a lot of family problems, he was a single parent and his son was in prison, his own father had also passed away so he had a lot of other things on his mind. He had had his first taxi licence in 1988 and had received no personal complaints against him.

The Licensing Officer and the applicant side left the room whilst the Sub-Committee considered its decision.

Decision

During deliberations, Members carefully considered the written and verbal evidence presented to them. They acknowledged that CCC had made false declarations but the caution itself was not considered by the Committee to be a serious offence and there were no concerns regarding public safety. CCC had already been off the road and not working since 3rd October 2015.

In conclusion, Members were satisfied that CCC remained a fit and proper person to hold a licence

The Licensing Officer and CCC returned to the room and were informed of the Sub-Committee's decision, by the Chair.

RESOLVED: that the application for the renewal of a Private Hire Driver Licence be GRANTED

The Chair informed CCC that in future he must be open and truthful and she explained the importance of honesty in this regime.

9. Application for the grant of a Hackney Carriage vehicle licence - SM

10 Application for the renewal of a Private Hire Vehicle Licence - FM

Before the start of the hearing, the Committee and the Licensing Officer had met the applicant outside the front of City Hall to inspect the vehicle. The Members noted that the tints were very dark and passengers were not able to be seen from the outside when sitting in the back. The vehicle was in an excellent condition.

The Chair welcomed those present to the meeting and introductions were made.

FM was in attendance.

The Licensing Officer presented the report explaining that BCC Fleet Services have confirmed that the tints recorded in 2016 and 2017 were at a level that does not meet the Council's Inspection Standard, however due to a misinterpretation a pass had been recorded on the certificate. It was noted



that FM has advised that the tints on the vehicle are factory fitted and were present at the time of first licensing as a PHV in 2010.

It was noted that the applicant had now applied for an exemption to display his plates which if granted, would result in the tints issue falling away – if exempt from displaying plates, tints are permitted.

FM was then invited to present his case and address any questions put by the Committee:-

- FM works for an executive car company - Bristol Chauffeur and Wedding Services 30-35% of the time and the rest of the time for V Cars. A letter from the Chauffeur car company supporting exemption from displaying plates had been received and circulated to the Committee ahead of the hearing. Tinted windows were required for this executive work.
- The car was manufactured with tints and has always been licensed by Bristol City Council (since 2010).
- FM indicated that it would cost him £1100-£1200 to change the tints and he has 2 years left on the plate before it needed to be renewed.
- FM indicated that he did not intend to increase the amount of executive work in the near future.

The Licensing Officer and the applicant side left the room whilst the Sub-Committee considered its decision.

Decision

During deliberations, Members carefully considered the written and verbal evidence presented to them. It was noted that for 65–70% of the time FM would not require an exemption so there was no valid reason why Committee should agree to depart from the BCC Policy. The request for tints in this case could not be justified. Public Safety is the overriding concerns and tints are not required for the majority of his taxi work.

The Committee acknowledged that FM had been completely open and honest with them, however the vehicle had been previously licensed in error by Bristol City Council Fleet Services and the Committee considered that in order to ensure consistency with Council policy and fairness to other licensees it was appropriate to correct the position.

The Licensing Officer and FM returned to the room and were informed of the Sub-Committee's decision, by the Chair.

RESOLVED: that the application for the renewal of a Private Hire Driver Licence seeking a departure from council policy and a request for an exemption from the display of plates on PHV be REFUSED on the grounds contained in section 60 (1) (a) and (c) of the Local Government (Miscellaneous Provisions) Act 1976.

11 Conviction of a Hackney Carriage Driver's Licence and renewal application - MMO



MMO was in attendance together with a number of people in support including a Trade Representative, a number of representatives from the Bristol Somali Centre and an interpreter for the applicant.

The Chair welcomed those present to the meeting and introductions were made.

The Licensing Officer outlined the key details as set out in the report.

MMO was then invited to present his case and address any questions put by the Committee:-

- MMO read out a prepared statement as to the circumstances of the offence which was also circulated to the Committee and other officers present.
- The no U turn sign had been turned around and was facing the wrong way so was not clearly visible from the direction MMO had travelled.
- On renewal application dated 19 October 2016 MMO had informed the Licensing office of the accident and the ongoing police investigation (Appendix A of the report).
- MMO had produced further documentation dated 21 February 2017 stating that he had been charged with three driving offences (Appendix B and C of the report).
- MMO had pleaded guilty to driving without due care and attention and the other two charges had been dropped. MMO's driving record was subsequently endorsed with 9 points.
- MMO had informed the licensing office that he would be out of the country from 27 August – 20 October 2017.
- One of the Elders in the Somali Community provided a character witness statement in respect of MMO indicating that he provided transport on a voluntary basis within the community and had had no other accidents or driving offences.

The Licensing Officer and the applicant side left the room whilst the Sub-Committee considered its decision.

Decision

During deliberations, Members carefully considered the written and verbal evidence presented to them. Members acknowledged MMO's honesty and that he had kept the licensing office informed at every stage as per his licence conditions. It was noted that it had been one isolated accident/incident which had happened over 6 months ago so it would be in line with BCC Policy to grant a renewal application. MMO was a responsible member of the Community as demonstrated by the show of support for his character at the hearing.

The Licensing Officer and MMO returned to the room and were informed of the Sub-Committee's decision, by the Chair.

RESOLVED: that no further action be taken and the application for the renewal of a Hackney Carriage Driver's Licence be GRANTED.

12 Investigation of Private Hire Driver - BB



BB was in attendance and introductions were made.

The sub-committee considered the appropriate action following on from an investigation by the Neighbourhood Enforcement Team as a result of video footage. It was confirmed that Members had had sight of the video footage and BB agreed that he had also seen it in advance of this hearing.

The Neighbourhood Enforcement Officer outlined key details set out in the report and confirmed that a PACE interview had been duly conducted on 5th October 2017. It was noted that the transcript of this interview had not been made available to Members as part of the Committee papers.

BB was invited to put his case to the Committee and address any questions put by the Committee:

- BB was a new driver with a recently inspected vehicle
- BB indicated that he had agreed a fare upfront as opposed to using the meter (even though it was within the Bristol City boundary) as he suspected they would not pay at the end of the journey if he used the meter.
- BB felt he was not responsible for making sure his passengers wear their seatbelts if he had already asked them to do so
- BB felt that the unruly passengers had no regard for their own safety and he was unable to stop them doing what they wanted
- The incident had happened in the early hours of the morning between 03:00/04:00, the roads were not busy and there were no other cars/pedestrians around at the time
- He indicated that at the time he had felt vulnerable and was weary of being attacked by the 6 passengers if he had tried to confront them, as they had been drinking. He also did not want to get in to an altercation with them as it could have resulted in him losing his taxi licence
- It was a 1 – 1.5 mile journey. He had stopped at one point to tell them to get back inside the vehicle as he could lose his licence.
- After the journey had started again they were standing up on the seats and he was unsure what was going on in respect of the passengers in the back of the car. From the driver's position he could not see them crouching on the roof of the car, as captured in the video footage. The controls for the sunroof were in the back of the car, so the youths must have opened the sunroof themselves and climbed up in order to sit on the roof of the car.
- With his own safety in mind, BB had not wanted to stop the vehicle again and wanted to get to the destination as soon as possible. At the time, he hoped that a police car would see him and then he would have felt safe to stop the vehicle.
- BB said that he had flashed a police car which was coming up Broadwalk with its sirens on, it had continued up Broadwalk but police officers had then turned the car around a little way up the road and caught up with him once he was at his destination. At this point the youths had alighted and run off. BB indicated that the police officers had just given him words of advice, they did not ask him to get out of the car so he did not take their names or collar numbers.

The Chair commented that the overriding consideration of the Committee was the safety of the public. When questioned by Members as to what he would do differently in future, BB replied that he



would stop the car, leave the car and call the police. When further questioned as to him seemingly trivialising the situation – telling the unruly passengers to get down and wear their seatbelts, BB replied ‘there was nothing else he could do / what could he do?’

The Licensing Officer and the applicant side left the room whilst the Sub-Committee considered its decision.

Decision

During deliberations, Members carefully considered the written and verbal evidence presented to them. Members felt that in his responses, BB did not come across as sorry or appear to take responsibility for his lack of action. Members were unanimous that his account was rather vague and he displayed no awareness of the real danger his passengers were in. BB was an inexperienced/new driver and did not appear to have taken the incident seriously, displaying a very blasé attitude. BB negotiated a fare when he should have had his meter on and had carried on driving after the first attempt to get the passengers back into the vehicle. He carried on driving for another 0.5 miles, negotiating a right hand turn into Broadwalk, so his passengers were in grave danger. BB had indicated to the Committee that he had not wanted an altercation which could have resulted in him losing his licence, he had also said he thought that they would attack him or the opposite (he would have to engage them in violence) which the Committee considered to not be a responsible action of a taxi driver.

In conclusion, this was a very serious incident, the account given by BB stating he didn’t know 3 of his passengers were on the roof of the car was not deemed credible. Under the circumstances Members did not consider BB to be a fit and proper person to hold a taxi licence.

The Neighbourhood Enforcement Officer and BB returned to the room and were informed of the Sub-Committee’s decision, by the Chair.

RESOLVED:

That the Council could no longer be satisfied that BB was a fit and proper person to hold either a Hackney Carriage Drivers Licence or Private Hire Drivers Licence and in consequence there was “reasonable cause” to REVOKE both licences on the ground contained in section 61 (1) (b) of the Local Government (Miscellaneous Provisions) Act 1976.

13 Private Hire Driver dealt with by an out of court disposal - JQ

JQ was in attendance, together with Andrew Rae from Nelson Legal who was representing him.

The Chair welcomed those present to the meeting and introductions were made.

The Taxi Compliance Officer (PQ) outlined the key issues as set out in the report.

AR was invited to put forward the case on behalf of PQ and address any questions put by the Committee:



- JQ has been a private hire driver for 14 years – his licence expires on 10 August 2018.
- JQ has admitted the offence and accepted a caution.
- It was a one off incident and he has never been the subject of a complaint before.
- JQ is a competent, qualified driver and has never had any criminal conviction/caution or endorsements before.
- The Controller had told him to stay in the area and wait for a fare to come in over the radio. He had parked up in an area in Queens Road, commonly used by Hackney Carriage Drivers. Members of the public had got in to the cab but he had asked them to leave just as the Taxi Compliance Officer had seen him and spoken to him.
- JQ has elderly parents but no children – losing his licence would impact on his parents. A busy period for driving is coming with Christmas on the way. JQ has admitted the offence, is remorseful and has learnt through the experience. A short suspension may be appropriate but the Committee were asked to consider not extending it too far into the Christmas period.

The Taxi Compliance Officer added that this was a known hot spot for plying for hire. In his view JQ had only asked his passengers to leave after he had spoken to him. The offence had already been made and the fare had already been agreed according to the passengers. JQ had not admitted to the offence at the time.

The Taxi Compliance Officer and the applicant side left the room whilst the Sub-Committee considered its decision.

Decision

During deliberations, Members carefully considered the written and verbal evidence presented to them. Members felt that this was unacceptable behaviour for an experienced driver who knows the rules. Members agreed that JQ was not currently a fit and proper person to hold a Private Hire Drivers Licence and therefore needed a period of reflection. It was acknowledged that JQ had subsequently made a full admission and appeared to be genuinely sorry. The Sub-Committee felt in view of all the facts a suspension for a month would be appropriate.

The Taxi Compliance Officer and BB returned to the room and were informed of the Sub-Committee's decision, by the Chair.

RESOLVED:

That the Council could no longer be satisfied that JQ was a fit and proper person to hold a Private Hire Drivers Licence and in consequence there was "reasonable cause" to SUSPEND the licence for one month under 61 (1) (a) (ii) of the Local Government (Miscellaneous Provisions) Act 1976. The suspension to be lifted at 00.01 of 13th December 2017.

Meeting ended at Time Not Specified



CHAIR _____

